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SPECIAL LAWS
OF THE
COMMONWEALTH OF MASSACHUSETTS
RELATING TO THE
CITY OF BOSTON

ENACTED PRIOR TO JANUARY 1, 1938

COMPILED AND EDITED BY
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SPECIAL LAWS

RELATING TO THE

CITY OF BOSTON

GENERAL ACTS, 1919.—CHAPTER 54.

AN ACT RELATIVE TO THE PUBLICATION OF LISTS OF CANDIDATES TO BE VOTED FOR AT CITY ELECTIONS.

Repealed G. L., ch. 282.

GENERAL ACTS, 1919.—CHAPTER 75.

AN ACT TO PROVIDE FOR THE APPOINTMENT IN THE COUNTY OF SUFFOLK OF TRUSTEES FOR COUNTY AID TO AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. The mayor and city council of the city of Boston, acting as county commissioners of the county of Suffolk, may appoint an unpaid board of nine trustees to be known as trustees for county aid to agriculture in the county of Suffolk, three of whom shall serve for one year, three for two years, and three for three years, from the first day of April in the current year, and thereafter, as the term of each trustee expires, or as a vacancy occurs, the mayor and city council shall appoint a successor for a term of three years. One of said board shall always be the mayor or a member of the city council. Said trustees shall have in said county all the powers and duties conferred and imposed upon trustees for county aid to agriculture in the several counties by chapter two hundred and seventy-three of the General Acts of nineteen hundred and eighteen, and all the provisions of said chapter, so far as they may be applicable, except as is otherwise provided herein, shall apply to the trustees hereby established.

SECTION 2. Said trustees shall annually prepare a budget, and submit the same to the mayor and city council of the city of Boston, not later than the last Wednesday in December, containing a detailed estimate of all sums required by them, during the ensuing year, for discharging their duties and accomplishing the purposes for which they were established, and the city of Boston shall thereupon undertake to provide one half of the said sums: *provided*, the funds shall be paid over to said trustees to the extent only, and upon their certificate, that a like amount has been received by them from other sources, including funds received under the provisions of section two of said chapter two hundred and seventy-three.

SECTION 3. This act shall take effect upon its passage.

Approved April 4, 1919.

See 1909, ch. 486, s. 3.

GENERAL ACTS, 1919.—CHAPTER 78.

AN ACT TO ENABLE CERTAIN CITIES AND TOWNS TO MEET THEIR OBLIGATIONS RELATIVE TO CERTAIN BRIDGE EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. The cities and towns required to make payments in compliance with sections two and three of chapter five hundred

and eighty-one of the acts of nineteen hundred and eleven, relating to the construction, repair and maintenance of the bridges therein mentioned, and with chapter three hundred and forty-one of the acts of nineteen hundred and thirteen, are hereby authorized to raise by taxation or to borrow, in excess of the statutory limit, such sums as may be necessary therefor, and for this purpose may issue bonds or notes: *provided, however*, that no loan shall be issued to pay any assessment for the maintenance of said bridges subsequent to the acceptance by the supreme judicial court of the report by the board of commissioners provided for by said chapter three hundred and forty-one.

SECTION 2. Securities issued under authority of this act shall be payable in not more than twenty years from the date of each issue and in accordance with the provisions of section fourteen of chapter seven hundred and nineteen of the acts of nineteen hundred and thirteen and acts in amendment thereof or in addition thereto. Securities issued hereunder by a city shall bear such rates of interest as may be fixed by the treasurer with the approval of the mayor, and securities issued by a town shall bear such rates of interest as may be fixed by the treasurer with the approval of the selectmen.

SECTION 3. This act shall take effect upon its passage.

Approved April 5, 1919.

GENERAL ACTS, 1919.—CHAPTER 187.

AN ACT TO PROVIDE FOR THE PREPARATION AND DISTRIBUTION TO THE VOTERS OF ARGUMENTS RELATIVE TO MEASURES SUBMITTED UNDER THE INITIATIVE AND REFERENDUM.

Repealed G. L., ch. 282.

GENERAL ACTS, 1919.—CHAPTER 238.

AN ACT TO PROVIDE FOR THE COMPLETION BY THE METROPOLITAN PARK COMMISSION OF NEPONSET BRIDGE OVER NEPONSET RIVER BETWEEN THE CITIES OF BOSTON AND QUINCY.

Be it enacted, etc., as follows:

SECTION 1. In order to complete the Neponset bridge, authorized by chapter three hundred of the General Acts of nineteen hundred and fifteen, and to provide more adequately for public travel thereon, the metropolitan park commission may construct said bridge, and the approaches thereto and street connections therewith, to a width of not less than seventy feet substantially in accordance with the plans already approved as required by said act, and for this purpose the said commission may exercise the powers conferred upon it by said chapter three hundred and by chapter two hundred and eighty-eight of the acts of eighteen hundred and ninety-four, and acts in addition thereto and in amendment thereof, and may expend the sums appropriated by section six of said chapter three hundred, as amended by chapter two hundred and twenty of the General Acts of nineteen hundred and seventeen, and the further sum of one hundred and seventy thousand dollars.

SECTION 2. The cost of the additional work authorized by this act, as determined by said commission, together with any

interest on money borrowed, shall be paid as follows:—Twenty-three and nine seventeenths per cent by the city of Boston; seventeen and eleven seventeenths per cent by the city of Quincy; five and fifteen seventeenths per cent by the county of Norfolk; two and sixteen seventeenths per cent by the county of Plymouth; and fifty per cent in the same manner as expenditures made from appropriations authorized to carry out the provisions of said chapter two hundred and eighty-eight, and acts in addition thereto and in amendment thereof.

SECTION 3. To meet the expenses incurred hereunder, the treasurer and receiver general may, with the approval of the governor and council, issue bonds or certificates of indebtedness to an amount not exceeding one hundred and seventy thousand dollars, in addition to the amounts already authorized by said chapter two hundred and eighty-eight and acts in amendment thereof and in addition thereto, and as part of the Metropolitan Parks Loan, Series Two. Such bonds or certificates shall be issued as coupon or registered bonds, for terms not exceeding forty years, as recommended by the governor in his message to the general court dated April twenty-fourth, nineteen hundred and nineteen, in accordance with the provisions of section three of Article LXII of the amendments to the constitution, and shall bear interest at such rate as shall be fixed by the treasurer and receiver general with the approval of the governor and council, payable semi-annually on the first days of January and July.

SECTION 4. The treasurer and receiver general shall, in the manner provided by section seven of said chapter three hundred, collect from the cities of Boston and Quincy and the counties of Norfolk and Plymouth such proportion of the amounts to be paid by said cities and counties under this act as may be necessary to provide for the payment of the serial bonds and interest requirements of the addition to the Metropolitan Parks Loan, Series Two, herein authorized; and the cities of Boston and Quincy and the counties of Norfolk and Plymouth shall have the same authority to issue bonds and notes for the purpose of carrying out the provisions of this act that is conferred upon said cities and counties, respectively, by section eight of said chapter three hundred. The remaining requirements for serial bonds, interest and sinking fund payments shall be collected and paid in the manner set forth in chapter four hundred and nineteen of the acts of eighteen hundred and ninety-nine to meet the interest and sinking fund requirements of loans authorized to carry out the purposes of said chapter two hundred and eighty-eight, and acts in addition thereto and in amendment thereof. No part of the cost of the additional work authorized by this act shall be paid by or assessed upon the Bay State Street Railway Company or such other street railway company as shall have a location on said bridge.

Approved June 12, 1919.

GENERAL ACTS, 1919.—CHAPTER 259.

AN ACT TO REGULATE THE PURCHASE AND SALE OF SECOND-HAND
MOTOR VEHICLES AND PARTS THEREOF.

Repealed G. L., ch. 282.

GENERAL ACTS, 1919.—CHAPTER 269.

AN ACT RELATIVE TO PRIMARIES, CAUCUSES AND ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Sections one, thirty-six, thirty-seven, sixty-two, eighty-six, ninety-one, one hundred and ninety-eight, two hundred and nineteen, three hundred and thirty-eight, three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-four, three hundred and seventy-nine, and three hundred and eighty, of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, and acts in amendment thereof, are hereby amended by striking out the word "annual", as applied to state primaries and elections, wherever it occurs, and substituting in each case the word:— biennial.

* * * * * * * * * *

SECTION 6. Section eighty-three of said chapter eight hundred and thirty-five, as amended by chapter forty-eight of the General Acts of nineteen hundred and fifteen, is hereby further amended by striking out the word "annual", in the seventh and thirteenth lines, and substituting in each case the word:— biennial,— by striking out the words "annual state election", in the ninth line, and substituting the words:— first day of November,— so as to read as follows:— *Section 83.* Said board shall hold such day sessions as the city may by ordinance prescribe, and such additional sessions as they shall deem necessary. They shall, in any event, hold in or near each ward in said city not less than ten evening sessions, each of at least three hours' duration, between the first day of September and the close of registration before the biennial state election, and not less than five such evening sessions between the first day of November and the close of registration before the annual city election. They shall also hold at their principal office a continuous session from nine o'clock in the morning until ten o'clock in the evening on the twentieth day preceding the biennial state election, and a like continuous session on the twentieth day preceding the annual city election, and a continuous session from twelve o'clock noon until ten o'clock in the evening on the seventh day preceding a special election.

SECTION 7. Section eighty-five of said chapter eight hundred and thirty-five is hereby amended by striking out the word "annually", in the first line, by striking out the word "annual", in the second line, and substituting the word:— biennial,— and by inserting after the word "election", in the second line, the words:— and in odd numbered years before the annual city election,— so as to read as follows:— *Section 85.* Said board shall after the close of registration and before the biennial state election and in odd numbered years before the annual city election, make, by precincts, from the annual register, street lists of the voters to be used as the voting lists at elections. Each list shall contain not less than two hundred names, and names shall be added to or taken therefrom, as persons are found qualified or not qualified to vote. Said lists shall be in the following form:—

Street.

NAME OF VOTER.	Residence, Number, or Other Designation, April 1, of the Year of Election.	Length of Residence in City.	PERSONAL DESCRIPTION.		
			Age.	Height.	Weight.

* * * * *

SECTION 12. Section two hundred and thirty of said chapter eight hundred and thirty-five is hereby amended by striking out the words "annual state election", in the third line, and substituting the words:—first day of November,—so as to read as follows:—*Section 230.* If a vacancy in the number of the election officers occurs before the twentieth day of September in any year, or, in a city, after the first day of November and one week at least before the annual city election, or if an election officer declines his appointment and gives notice thereof to the city or town clerk, or in Boston to the election commissioners, before the twentieth day of September, or, if at a special election the office of an election officer is vacant, the mayor, with the approval of the aldermen, or the selectmen, shall fill the vacancy; and the appointment shall be so made as to preserve the equal representation of the two leading political parties. Appointments to fill vacancies may be acted upon immediately by the board of aldermen. In Boston such vacancies shall be filled by the election commissioners.

* * * * *

SECTION 28. This act shall take effect on the Thursday following the first Wednesday in January in the year nineteen hundred and twenty.

Approved June 28, 1919.

All except sections 1, 6, 7, 12 Repealed G. L., ch. 282.
286 Mass. 611, 622.

GENERAL ACTS, 1919.—CHAPTER 289.

AN ACT TO PERMIT ABSENT VOTERS TO VOTE AT STATE ELECTIONS.

Be it enacted, etc., as follows:

* * * * *

SECTION 20. Section ninety-seven of said chapter eight hundred and thirty-five is hereby amended by striking out the word "sixth", in the first line, and substituting the word:—eighth,—so as to read as follows:—*Section 97.* State primaries shall be held on the eighth Tuesday preceding state elections, city primaries on the third Tuesday preceding city elections, town primaries on the second Tuesday preceding town elections, and presidential primaries on the

last Tuesday in April; except that primaries before a special election shall be held on the second Tuesday preceding the special election.

In Boston they shall be held by precincts as established for elections; elsewhere, wholly or partly by wards, precincts or towns, as the board of aldermen or selectmen may from time to time determine.

SECTION 21. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by section thirty-three of chapter two hundred and ninety-three of the General Acts of nineteen hundred and eighteen, is hereby further amended by striking out section two hundred and three and substituting the following:—*Section 203.* Certificates of nomination of candidates for offices to be filled by all the voters of the commonwealth, except for presidential electors, shall be filed on or before the seventh Monday, and of all other candidates for offices to be filled at a state election, including presidential electors, on or before the fifth Thursday, and nomination papers of all candidates for offices to be filled at a state election, on or before the sixth Monday preceding the day of the election; but if there is a special election to fill any state office, certificates of nomination shall be filed on or before the twelfth day, and nomination papers on or before the eleventh day preceding the day of such election.

In cities, except where city charters provide otherwise, certificates of nomination for city offices shall be filed on or before the third Monday, and nomination papers on or before the second Wednesday preceding the day of the election.

In Boston, nomination papers for all municipal offices shall be filed on or before the twenty-first day prior to the municipal election.

In towns, certificates of nomination for town offices shall be filed on or before the second Wednesday, and nomination papers, on or before the second Thursday preceding the day of the election; but if such Wednesday or Thursday falls on a legal holiday, the said certificates of nomination or nomination papers shall be filed on or before the succeeding day; but if a town election is held on a day of the week other than Monday, such certificates of nomination and nomination papers shall be filed, respectively, on the twelfth and eleventh days preceding the day of the election.

Certificates of nomination and nomination papers shall be filed before five o'clock in the afternoon of the last day fixed for the filing thereof.

* * * * *

SECTION 24. Section twenty-three of this act shall take effect ninety days after the passage thereof; otherwise this act shall take effect on the first day of January, nineteen hundred and twenty.

Approved July 7, 1919.

All except sections 20 and 21 Repealed G. L., ch. 282.

GENERAL ACTS, 1919.—CHAPTER 290.

AN ACT RELATIVE TO STATE AND MILITARY AID AND TO THE BURIAL OF INDIGENT SOLDIERS AND SAILORS.

Repealed G. L., ch. 282.

SPECIAL ACTS, 1919.—CHAPTER 23.

AN ACT TO ABOLISH THE RESERVE POLICE FORCE IN THE CITY OF
BOSTON.

Repealing 1887, ch. 177.

SPECIAL ACTS, 1919.—CHAPTER 32.

AN ACT TO REQUIRE THE REGISTRATION OF HOSPITALS IN THE CITY
OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Every person, firm or corporation, using or occupying a building in the city of Boston as a hospital, shall annually in April register with the building department of the city the name of the person, firm or corporation conducting the hospital and the situation of the building, and shall state, upon forms prescribed by the building commissioner, the number of occupants, the means of egress, the system of automatic sprinklers, the lights, fire stops, and other precautions against fire provided in such building.

SECTION 2. Violation of this act shall be punished by a fine not exceeding five hundred dollars. *Approved February 19, 1919.*

See 1907, ch. 550.

245 Mass. 342, 345.

SPECIAL ACTS, 1919.—CHAPTER 55.

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF LABORERS
EMPLOYED BY THE CITY OF BOSTON.

Not accepted.

SPECIAL ACTS, 1919.—CHAPTER 87.

AN ACT RELATIVE TO THE BOARD OF ART COMMISSIONERS OF THE
CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and ten of the acts of eighteen hundred and ninety-eight is hereby amended by striking out section two and substituting the following:—*Section 2.* The board may appoint a clerk who shall be exempt from the civil service laws, and who shall receive such compensation as may be fixed by the board with the approval of the mayor. The clerk shall perform such duties as may be prescribed by the board.

SECTION 2. Said chapter four hundred and ten is hereby further amended by striking out section three and substituting the following:—*Section 3.* The board shall have the custody and care of all works of art owned by the city and heretofore under the control of any department thereof. No work of art shall become the property of the city by purchase, gift or otherwise, until it, or a design or model thereof, and the situation proposed therefor shall have been approved by the board, and no work of art, until approved by the board, shall be erected or placed in, over or upon, or allowed to extend in, over or upon any street, avenue, square, park or other property belonging to the city. The board may, with the approval of the

mayor, order the removal, relocation or alteration of any existing work of art owned by the city, and no such work of art shall be removed, relocated or altered without such order and approval. The board shall, at the request of the mayor, study, consider and report upon the design of any municipal building, bridge, approach, fence or other structure erected or to be erected upon land belonging to the city, and upon the design of any arch, bridge, structure or approach which is the property of any person, firm or corporation, and extends in, over or upon any street, avenue, highway, park or public place.

SECTION 3. This act shall take effect upon its passage.

Approved March 20, 1919.

SPECIAL ACTS, 1919.—CHAPTER 93.

AN ACT RELATIVE TO THE ANNUITY PAYABLE TO THE WIDOWS AND CHILDREN OF CERTAIN DECEASED POLICEMEN AND FIREMEN IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Annuities payable to the widows and children of deceased policemen or firemen of the city of Boston under the provisions of chapter one hundred and seventy-eight of the acts of eighteen hundred and eighty-seven, or of section two of chapter one hundred and seven of the acts of eighteen hundred and eighty, shall, as to all such policemen or firemen dying after December thirty-first, nineteen hundred and nineteen, be in such sums, not exceeding six hundred dollars, as the city council may determine.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to the thirty-first day of December in the current year. *Approved March 20, 1919.*

Accepted December 9, 1919.

Section 1, Amended 1920, ch. 68.

SPECIAL ACTS, 1919.—CHAPTER 116.

AN ACT RELATIVE TO THE AUTHORITY OF THE TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON TO TAKE AND HOLD REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Chapter one hundred and fourteen of the acts of eighteen hundred and seventy-eight is hereby amended by striking out section two and substituting the following:—*Section 2.* Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding ten million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the public library of the city of Boston or any branch library, or any purpose connected therewith. Money received by it shall be invested by the treasurer of the city of Boston under the direction of said corporation; and all securities belonging to said corporation shall be placed in the custody of said treasurer:

provided, always, that both the principal and income thereof shall be invested and appropriated according to the terms of the donation, devise or bequest.

Approved April 2, 1919.

1937 Adv. Sh. 1341, 1346.

SPECIAL ACTS, 1919.—CHAPTER 132.

AN ACT RELATIVE TO THE MAXIMUM PENSION PAYABLE TO RETIRED SCHOOL JANITORS OR ATTENDANCE OFFICERS IN THE CITY OF BOSTON.

Not accepted.

SPECIAL ACTS, 1919.—CHAPTER 136.

AN ACT RELATIVE TO DEATH BENEFITS OF THE BOSTON POLICE RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter seventy-eight of the acts of eighteen hundred and eighty-two is hereby amended by inserting after the word "same", in the eighth line, the words:— and to members discharged or resigning from the police department of the city of Boston who have been members of the association for ten years or more and were in good standing at the time of their resignation or discharge, — and by inserting after the word "members", in the ninth line, the words:— and such members resigning or discharged as aforesaid,— so as to read as follows:— *Section 1.* Chapter sixteen of the acts of the year eighteen hundred and seventy-six is hereby amended so that the benefit to accrue by reason of the decease of members of the Boston Police Relief Association, or their wives, may be extended to such members as may be retired under section five of chapter two hundred and forty-four of the acts of the year eighteen hundred and seventy-eight and the amendments to the same, and to members discharged or resigning from the police department of the city of Boston who have been members of the association for ten years or more and were in good standing at the time of their resignation or discharge: *provided*, that such retired members and such members resigning or discharged as aforesaid shall have no voice in the government of said association, shall comply with the by-laws thereof, and shall receive no benefit from said association for sickness or disability.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1919.

SPECIAL ACTS, 1919.—CHAPTER 155.

AN ACT RELATIVE TO THE INSPECTION OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter two hundred and five of the acts of nineteen hundred and fourteen, is hereby further amended by striking out the word "shall",

in the fifteenth line of the first paragraph, and substituting the word:—may,—so that said paragraph will read as follows:—*Section 4.* The commissioner, or one of his inspectors, shall inspect every building or other structure or anything attached to or connected therewith which he has reason to believe is not provided with sufficient means of egress in case of fire satisfactory to the commissioner, exists in violation of any provision of this act or is unsafe or dangerous to life, limb, or adjoining buildings, and if he finds it not provided with sufficient means of egress in case of fire satisfactory to the commissioner, or to exist in violation of any provision of this act, or unsafe or dangerous, he shall forthwith in writing notify the owner, agent, or any person having an interest therein, to secure the same, to provide sufficient means of egress in case of fire or to comply with the provision of this act which is being violated, and may affix in a conspicuous place upon its external walls a notice of its dangerous condition or of its condition as a fire-trap or of its being a common nuisance within the provisions of this act. The notice shall not be removed or defaced without his consent.

SECTION 2. Section five of said chapter five hundred and fifty as amended by section two of said chapter two hundred and five is hereby further amended by inserting after the word “secure”, in the eleventh line, the words:—or remove,—so as to read as follows:—*Section 5.* The person notified as provided in the preceding section shall provide sufficient means of egress in case of fire satisfactory to the building commissioner, or shall comply with the provision of this act which is being violated, or shall secure or remove said building, structure, attachment or connection forthwith. If the public safety so requires, the commissioner, with the approval of the mayor, may at once enter the building or other structure which he finds unsafe or dangerous, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway.

SECTION 3. This act shall take effect upon its passage.

Approved April 24, 1919.

See 1919 (S), ch. 163.

SPECIAL ACTS, 1919.—CHAPTER 156.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter three hundred and eighty-three of the acts of nineteen hundred and five is hereby amended by adding at the end thereof the following:—Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be more than twelve feet square, but shall not exceed in area the size of the shaft served thereby, except in the case of elevator shafts, which may be allowed an additional space of four feet on all sides. They shall not exceed twelve feet in height, and shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevator.

Roof houses, pent houses and bulkheads in first class buildings may be constructed of angle iron and four-inch blocks, plastered on the inside and outside, or covered inside and outside with metal covering or angle iron, and two-inch solid metal lath and plaster walls may be used, the door to be of metal frame covered with metal. For second and third class buildings, roof houses, pent houses and bulkheads may be of wood frame covered with metal on the outside and plastered on metal lathing on the inside: *provided* that the door is covered with metal on both sides, — so as to read as follows:—
Section 4. No limitations of the height of buildings in the city of Boston shall apply to churches, steeples, towers, domes, cupolas, belfries or statuary not used for purposes of habitation, nor to chimneys, gas holders, coal or grain elevators, open balustrades, skylights, ventilators, flagstuffs, railings, weather vanes, soil pipes, steam exhausts, signs, roof houses not exceeding twelve feet square and twelve feet high, nor to other similar constructions such as are usually erected above the roof line of buildings.

Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be more than twelve feet square, but shall not exceed in area the size of the shaft served thereby, except in the case of elevator shafts, which may be allowed an additional space of four feet on all sides. They shall not exceed twelve feet in height, and shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevator.

Roof houses, pent houses and bulkheads in first class buildings may be constructed of angle iron and four-inch blocks, plastered on the inside and outside, or covered inside and outside with metal covering or angle iron, and two-inch solid metal lath and plaster walls may be used, the door to be of metal frame covered with metal. For second and third class buildings, roof houses, pent houses and bulkheads may be of wood frame covered with metal on the outside and plastered on metal lathing on the inside: *provided* that the door is covered with metal on both sides.

SECTION 2. This act shall take effect upon its passage.

Approved April 24, 1919.

SPECIAL ACTS, 1919.— CHAPTER 163.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF HOSPITALS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Every building in the city of Boston exceeding three stories or forty feet in height hereafter erected, altered or designed for use or occupation as a hospital shall be a first class building as defined in chapter five hundred and fifty of the acts of nineteen hundred and seven and the amendments thereof. Every such building shall be provided with at least two enclosed stairways, shall have an additional enclosed stairway if the number of occupants, at any time, equals seventy-five, and a further additional enclosed stairway for every additional one hundred occupants which it may at any time contain.

Every building in the city of Boston three stories or less in height, or less than forty feet in height, hereafter erected, altered or designed for use or occupation as a hospital may be of second or third class construction, shall have means of egress satisfactory to the building commissioner, and no story or part of a story above the second shall be used for the care, treatment or lodging of patients.

SECTION 2. The elevator, light and ventilating shafts and basements in all hospital buildings specified in section one, shall be provided with a system of automatic sprinklers approved as to location, arrangement and efficiency by the building commissioner.

SECTION 3. The halls and stairs in all hospital buildings specified in section one, shall be provided with proper and sufficient lights which shall be kept lighted during the night.

SECTION 4. The elevator, light and ventilating shafts in all hospital buildings specified in section one, shall be enclosed in the basement with masonry walls not less than eight inches thick or with two-inch metal and plaster partitions.

SECTION 5. In case of an existing or impending epidemic of a disease, the building commissioner, upon the recommendation of the health commissioner and with the written approval of the mayor, may temporarily suspend the provisions of this act.

SECTION 6. The health commissioner and the building commissioner, acting jointly, are hereby authorized to promulgate, from time to time, such regulations as in their judgment public interests require, to govern the establishment and maintenance of hospitals whether for human beings or for domestic animals, and to regulate the issue, suspension and revocation of licenses for the same.

SECTION 7. Every person, firm or corporation hereafter using or occupying a building in the city of Boston as a hospital shall forthwith register with the building department in the manner required by chapter thirty-two of the Special Acts of nineteen hundred and nineteen, setting forth all the facts and data therein specified.

SECTION 8. Violation of this act shall be punished by a fine not exceeding five hundred dollars. *Approved April 30, 1919.*

See 1907, ch. 550; 1926, ch. 182, s. 3.
245 Mass. 342, 345.

SPECIAL ACTS, 1919.—CHAPTER 168.

AN ACT RELATIVE TO THE PREPARATION AND PRINTING OF LISTS OF OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-seven of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out the words "fifth day of May", in the third line, and substituting the words:—sixth day of June,—and by striking out the words "thirtieth day of April", in the sixth line, and substituting the words:—first day of June,—so as to read as follows:—*Section 27.* Every officer and board in charge of a department of the city of Boston or county of Suffolk shall on or before the sixth day of June in each year prepare and furnish to the city auditor a list of the officials and employees under said officer or board and paid by the city or county on the first day of June preceding. Such lists shall

give the names, residence by street and ward, designation, compensation, and date of election or appointment of each of said officials and employees and the date when each first entered the employ of the city or county. It shall be the duty of the city auditor to verify said lists by the pay rolls; and when verified the said lists shall be printed by the superintendent of printing as a city document.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1919.

SPECIAL ACTS, 1919.—CHAPTER 172.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO MAKE ADDITIONAL APPROPRIATIONS FOR MUNICIPAL PURPOSES, AND FOR THE REPAIR AND RECONSTRUCTION OF STREETS FOR THE CURRENT FINANCIAL YEAR.

(Also increases tax limit for year.)

SPECIAL ACTS, 1919.—CHAPTER 185.

AN ACT REQUIRING THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED RAILWAY COMPANY TO REPORT ANNUALLY TO THE GENERAL COURT.

Be it enacted, etc., as follows:

The board of trustees of the Boston Elevated Railway Company, created under chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, shall, on or before the fifteenth day of January in each year, make a report to the general court of its proceedings during the preceding year, together with a statement of the financial condition as of December first of the preceding year, and the results of operation, of the system under its control, and such other information and comments relative thereto as the board may deem proper.

Approved May 23, 1919.

See 1918 (S), ch. 159; Amended 1921, ch. 108.

SPECIAL ACTS, 1919.—CHAPTER 193.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO ACQUIRE CERTAIN PROPERTY OF HISTORICAL INTEREST.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of its preservation and maintenance as an ancient landmark and as possessing historical and antiquarian interest, the city of Boston may acquire by purchase or by right of eminent domain a parcel of land of about nine thousand three hundred and sixty square feet, with the buildings thereon, situated in the Dorchester district and bounded as follows:—north-easterly by Pond street, southeasterly by Town Meeting square, southwesterly by East Cottage street, and westerly by land of Kelly, Lydon and others.

SECTION 2. In case the said property is taken by eminent domain, and the city and the owners thereof are unable to agree as to the compensation to be paid, the same shall be determined in the

manner provided by law for takings by said city for highway purposes, and when so determined, shall be paid by the city.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter.

Approved May 31, 1919.

Accepted October 1, 1919.

SPECIAL ACTS, 1919.—CHAPTER 199.

AN ACT TO PROVIDE FOR A PUBLIC LATIN SCHOOL IN THE CITY OF BOSTON.

(School Committee empowered to appropriate for constructing and furnishing a public latin school — school house commissioners to expend for purposes.)

Accepted by the School Committee July 14, 1919.

Accepted by the City Council July 28, 1919.

Accepted by the Mayor July 30, 1919.

SPECIAL ACTS, 1919.—CHAPTER 206.

AN ACT TO REGULATE APPROPRIATIONS BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the city of Boston may annually, beginning with the year nineteen hundred and nineteen, by vote of four fifths of all its members, taken by yeas and nays, make appropriations by items, which items may be subdivided as the committee may determine, which shall be included within the tax limits of the said city for municipal purposes, as established by law, and by section ten of this act, and shall not exceed the sums stated herein upon each one thousand dollars of the valuation on which the appropriations of the city council are based, and shall be in addition to the money which may be given therefor, the income collected and the balance of appropriations of preceding years, as follows:—

(a) For general school purposes; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, four dollars and eleven cents; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, and for each financial year thereafter, four dollars and thirty-eight cents.

(b) For the construction and furnishing of new school buildings, both temporary and permanent, including the taking of land therefor, and for school yards, and the preparing of school yards for use, and for the rent of hired school accommodations: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, sixty-five cents; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty-one, and for each financial year thereafter, sixty-eight cents.

(c) For the alteration and repair of school buildings, and for furniture, fixtures, and means of escape in case of fire, and for fire protection for existing buildings, and for improving existing school yards: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, thirty-five cents.

(d) For organizing and conducting physical training and exercises, athletics, sports, games and play, and for providing apparatus, equipment and facilities for the same in buildings, yards, and playgrounds under the control of said committee, or upon any other land which the committee may have the right to use for this purpose under the provisions of chapter two hundred and ninety-five of the acts of nineteen hundred and seven: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, eight cents.

(e) For the employment of one supervising female nurse, and so many district female nurses as, in the opinion of said committee, are necessary in accordance with the provisions of chapter three hundred and fifty-seven of the acts of nineteen hundred and seven, and for the employment of such number of school physicians as, in the opinion of the committee, may be necessary, and for the care of teeth of school children: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, six cents.

(f) For the purpose of conducting educational and recreative activities in or upon school property under the control of said committee, and the use thereof by individuals and associations in accordance with the provisions of chapter one hundred and ninety-five of the acts of nineteen hundred and twelve, and chapter eighty-six of the Special Acts of nineteen hundred and sixteen; for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, two cents.

(g) For the payment of pensions to members of the teaching or supervising staff of the public schools of said city, and to persons who were annuitants of the Boston Teachers' Retirement Fund at the time when chapter five hundred and eighty-nine of the acts of nineteen hundred and eight took effect, and other teachers who had retired prior to said time, in accordance with the provisions of said chapter five hundred and eighty-nine, chapter five hundred and thirty-seven of the acts of nineteen hundred and nine, chapter six hundred and seventeen of the acts of nineteen hundred and ten, and chapter five hundred and sixty-nine of the acts of nineteen hundred and twelve, and acts in amendment thereof, and of this act: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, seven cents.

(h) For promoting the Americanization and better training for citizenship of foreign-born persons: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, two cents.

(i) For vocational guidance: for the financial year ending on the thirty-first day of January, nineteen hundred and twenty, and for each financial year thereafter, two cents.

If the school committee shall fail to appropriate the full amount which it is authorized to appropriate for items (d), (e), (f), (h), (i), or any one of them, in any year, it may correspondingly increase the appropriation which it is authorized to make under item (a).

SECTION 2. The votes of the school committee making appropriations as aforesaid shall have the same force and effect as orders

or votes of the city council appropriating money, and shall be subject to the same provisions of law in respect to approval by the mayor, except that a vote of four of the members of the school committee, taken by yeas and nays, shall be necessary to pass such appropriations over the veto of the mayor.

SECTION 3. After an order or vote of the school committee making an appropriation shall have gone into effect, the aggregate amount so appropriated shall be certified by the school committee to the board of assessors, and shall be included by the assessors in the amount to be raised by taxation in the said city for the year for which the appropriation is made.

SECTION 4. Any balance of an appropriation so made by the school committee remaining unexpended at the close of any financial year, and not needed to carry out the requirements of any statute, gift, trust, or special appropriation, shall be added to the amount which the school committee is hereby authorized to appropriate for the financial year next ensuing.

SECTION 5. Chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, as amended by section two of chapter six hundred and seventeen of the acts of nineteen hundred and ten, and by section one of chapter three hundred and four of the Special Acts of nineteen hundred and fifteen, is hereby further amended by striking out section four and substituting the following:— *Section 4.* Accrued interest not expended during any year shall be available for the payment of pensions during any subsequent year.

SECTION 6. Said chapter five hundred and eighty-nine, as amended by section three of said chapter six hundred and seventeen, and by section one of chapter three hundred and four of the Special Acts of nineteen hundred and fifteen, is hereby further amended by striking out sections six and seven, and substituting the following:— *Section 6.* In case the amount available in any one year under this act is not sufficient to pay the pensions that have been granted, the amount so available shall be divided pro rata among those to whom pensions have been or may be granted on the basis of the amount of the pension which each is then receiving: *provided*, that in no case, nor in any year, shall the pension of any person retired after thirty years of service be less than three hundred and twelve dollars. *Section 7.* The school committee of said city, by a majority vote of all its members, may retire with a pension any member of the teaching or supervising staff who shall have attained the age of sixty-five years, and also any member of the teaching or supervising staff who, in the opinion of the school committee, is incapacitated for further efficient service. If a person so retired has been employed in teaching or supervising in public day schools for a period aggregating thirty years or more, ten years of which shall have been in the employ of the school committee of the city of Boston, such person shall receive an annual pension at the rate of one third of the annual salary paid to him or her at the time of retirement: *provided*, that in no case shall the pension of any person so retired after thirty years of service be less than three hundred and twelve dollars nor more than six hundred dollars. If a person so retired has been employed in teaching or supervising in public day schools for a period aggregating less than thirty years, ten years of which shall have been in

the employ of the school committee of the city of Boston, such person shall receive an annual pension which bears the same ratio to the pension provided for on retirement after thirty years of service as the total number of years of service of such person bears to thirty years. The pension of any teacher retired because of incapacity shall terminate if, and when, in the judgment of the school committee such person's incapacity shall have ceased and he or she shall have been tendered a reappointment in the public schools of the city of Boston. In determining the aggregate length of service of any person retired under the provisions of this act, any period of leave of absence under salary shall be considered as equivalent to an equal amount of teaching service. The treasurer of the city of Boston shall pay pensions under this act in accordance with monthly payrolls prepared and certified to by the school committee. The school committee of the city of Boston shall establish a schedule of pensions in accordance with the provisions of this act. The pensions of persons already retired under the provisions of said chapter five hundred and eighty-nine shall be re-established in accordance with the provisions of this act to date from the first day of the calendar month next following the passage of this act; *provided, further*, that nothing in this act shall be construed to decrease the amount of any pension now being paid to any person under the several acts applying to the teaching or supervising staff in the city of Boston.

SECTION 7. The proceeds of any sale of school lands or buildings shall be held in the city treasury, and used only for the purchase of land, or for the construction of buildings for school purposes when appropriated by the school committee for that purpose, but shall not so be used without the written approval of the mayor given in each specific case. The proceeds shall be expended in accordance with the provisions of chapter four hundred and eight of the acts of eighteen hundred and ninety-five, and acts in amendment thereof and in addition thereto.

SECTION 8. Chapter three hundred and thirty-one of the acts of nineteen hundred and fourteen, as amended by section four of chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen, is hereby further amended by striking out section three and substituting the following:—*Section 3.* The school committee shall sell the estate on Mason street now occupied by it for office and other purposes, and the proceeds of the sale shall be paid into the city treasury and applied to the cancellation or reduction of debt incurred for school purposes, or for the administration building and the land used therefor, or to the payment of interest and sinking fund charges of the said debt.

SECTION 9. Nothing in this act shall be construed to impair the validity or to prevent the issue of negotiable bonds of the city of Boston for the purpose of acquiring a site for an administration building and for constructing and furnishing such building, under the provisions of section two of chapter four hundred and fifty of the acts of nineteen hundred and seven and of chapter three hundred and thirty-one of the acts of nineteen hundred and fourteen, as amended by section three of chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen, and orders passed by the school committee in pursuance of said acts.

SECTION 10. For the purposes of this act the limit of the amount of taxes on property in the city of Boston is increased in the year nineteen hundred and nineteen, eighty-eight cents, and in the year nineteen hundred and twenty and in each year thereafter one dollar and eighteen cents on each one thousand dollars of the valuation upon which the appropriations of the city council of the city of Boston are based.

SECTION 11. The following acts and parts of acts are hereby repealed: chapter four hundred of the acts of eighteen hundred and ninety-eight, as amended by chapter four hundred and forty-eight of the acts of nineteen hundred and one, by chapter one hundred and seventy of the acts of nineteen hundred and three, by chapter two hundred and five of the acts of nineteen hundred and six, by chapter three hundred and eighty-eight of the acts of nineteen hundred and nine, by chapter seven hundred and eight of the acts of nineteen hundred and eleven, by chapter six hundred and fifteen of the acts of nineteen hundred and thirteen, and by section one of chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen; section three of chapter two hundred and ninety-five of the acts of nineteen hundred and seven; section three of chapter three hundred and fifty-seven of the acts of nineteen hundred and seven; section two of chapter one hundred and ninety-five of the acts of nineteen hundred and twelve; and chapter one hundred and thirty-two of the Special Acts of nineteen hundred and eighteen.

SECTION 12. Nothing in this act shall be construed as a repeal of section two of chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen.

SECTION 13. This act shall take effect upon its acceptance by the mayor, the city council, and the school committee of the city of Boston.

Approved June 14, 1919.

Accepted by the School Committee June 23, 1919.

Accepted by the Mayor July 14, 1919.

Accepted by the City Council July 14, 1919.

Section 1, See 1935, s. 284; 1936, ch. 224.

Section 1, paragraph (a), Amended 1919 (S), ch. 249, s. 1; 1920, ch. 641, s. 1; 1925, ch. 309, s. 1; 1930, ch. 283, s. 1.

paragraph (b), Amended 1920, ch. 524, s. 1; 1923, ch. 488, s. 1; 1925, ch. 327, s. 1; 1926, ch. 314, s. 1; See 1929, ch. 256, s. 1.

paragraph (c), Amended 1920, ch. 524, s. 2; 1923, ch. 488, s. 2; 1926, ch. 153, s. 1.

paragraph (d), Amended 1919 (S), ch. 249, s. 2; 1920, ch. 641, s. 2; 1925, ch. 309, s. 2; 1926, ch. 153, s. 2; 1934, ch. 145, s. 2.

270 Mass. 338, 339.

paragraph (e), Amended 1919 (S), ch. 249, s. 3; 1920, ch. 641, s. 3; 1925, ch. 309, s. 3; 1926, ch. 153, s. 3; 1930, ch. 283, s. 2.

paragraph (f), Amended 1920, ch. 641, s. 4; 1925, ch. 309, s. 4.

paragraph (g), Amended 1928, ch. 382, s. 1; 1931, ch. 155, s. 1.

paragraph (h), Amended 1925, ch. 309, s. 5.

paragraph (i), Amended 1925, ch. 309, s. 6.

Section 2, 263 Mass. 173, 179.

Section 5, 1937 Adv. Sh. 1341, 1345.

Section 10, Amended 1919 (S), ch. 249, s. 4; Part Repealed 1920, ch. 524, s. 5.

See 1905, ch. 349; Part Repealed 1936, ch. 224, s. 1.

SPECIAL ACTS, 1919.—CHAPTER 222.

AN ACT TO AUTHORIZE THE REORGANIZATION AND CONSOLIDATION OF
CERTAIN DEPARTMENTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may by ordinance consolidate and reorganize the Boston infirmary department, the children's institutions department, the institutions registration department, and the penal institutions department; may establish a new department to exercise the powers and perform the duties of said departments under the charge of a single department head; and may transfer the duties, powers, and appropriations of said departments to the new department so established. The head of the new department, in addition to the foregoing powers and duties, shall have the powers and shall be subject to the duties conferred or imposed by law upon the penal institutions commissioner acting as a county official or in any other capacity.

SECTION 2. If, in case of the consolidation and reorganization of the said departments or any of them, it is deemed necessary to appoint any deputy commissioners or other officials to act directly under the head of the said new department, such deputy commissioners or other officials shall be appointed by the mayor of the city of Boston, subject to the approval of the civil service commission, as provided in the case of heads of departments and others by sections nine, ten, and eleven of chapter four hundred and eighty-six of the acts of nineteen hundred and nine and acts in amendment thereof and in addition thereto; but otherwise the civil service laws shall not apply to such appointments.

SECTION 3. So much of section five of chapter four hundred and eighty-six of the acts of nineteen hundred and nine as prohibits the abolition or the taking away of the powers or duties, as established by law, of the children's institutions department is hereby repealed.

Approved July 7, 1919.

See 1897, ch. 395; 1928, ch. 389; 1929, ch. 219.
252 Mass. 184, 187.

SPECIAL ACTS, 1919.—CHAPTER 224.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO ACQUIRE CERTAIN
LAND FOR STREET IMPROVEMENTS.

(For improvement of Canterbury and Walk Hill streets at their
junction.)

SPECIAL ACTS, 1919.—CHAPTER 244.

AN ACT TO PROVIDE FOR ANNUAL INSTEAD OF SEMI-ANNUAL PAY-
MENTS BY THE COMMONWEALTH OF DEFICITS IN THE COST OF
OPERATION OF THE BOSTON ELEVATED RAILWAY COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose; therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen is hereby

amended by striking out in the second and third lines the words "December or", and in the fourteenth line the words "or December", so as to read as follows:—*Section 11.* If, as of the last day of June in the year nineteen hundred and nineteen, or the last day of any June thereafter, the amount remaining in the reserve fund shall be insufficient to meet the deficiency mentioned in section nine, it shall be the duty of the trustees to notify the treasurer and receiver general of the commonwealth of the amount of such deficiency, less the amount, if any, in the reserve fund applicable thereto, and the commonwealth shall thereupon pay over to the company the amount so ascertained. Pending such payment it shall be the duty of the trustees to borrow such amount of money as may be necessary to enable them to make all payments, including dividend payments, as they become due. If, as of the last day of any June thereafter during the period of public operation, the reserve fund shall exceed the amount originally established, the trustees shall apply the excess, so far as necessary, to reimbursing the commonwealth for any amounts which it may have paid to the company under the provisions hereof, and the commonwealth shall thereupon distribute the amount so received among the cities and towns in which the company operates, in proportion to the amounts which they have respectively been assessed as provided in section fourteen.

In order to meet any payment required of the commonwealth under the provisions of this section the treasurer and receiver general may borrow at any time, in anticipation of the assessments to be levied upon the cities and towns, such sums of money as may be necessary to make said payments, and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient.

SECTION 2. This act shall take effect upon its acceptance by the Boston Elevated Railway Company by vote of its board of directors.

Approved December 18, 1919.

Accepted December 29, 1919.

SPECIAL ACTS, 1919.—CHAPTER 245.

AN ACT TO PROVIDE FOR ANNUAL INSTEAD OF QUARTERLY CHANGES IN RATES OF FARE BY THE BOSTON ELEVATED RAILWAY COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose; therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen is hereby amended by striking out section ten and substituting the following:—*Section 10.* The trustees shall, on certain dates not more than twelve months apart, as from time to time may be fixed by them, consider a change of the rates of fare in force. If, as of the days so fixed, the amount of the reserve fund shall exceed by thirty per cent or more the amount originally established, and during the preceding twelve months the income shall have exceeded the cost of the service, the trustees shall, within one

month thereafter, put into effect the grade of fare that will, in their opinion, be sufficient to provide enough revenue to meet the requirements of section six; and if, as of any such day, the amount of the reserve fund shall be less than seventy per cent of the amount originally established, and during the preceding twelve months the income has been less than the cost of service, the trustees shall, within one month thereafter, put into effect the next higher grade of fare, and the fare shall continue to be decreased or increased, as the case may be, subject to the same conditions, as the amount of the reserve fund shall be above or below said limits, as of such dates. In determining the amount of the reserve fund for the purposes of this section only, there shall first be deducted therefrom any amounts which have been paid by the commonwealth to the company under the provisions of section eleven, and for which the commonwealth has not been reimbursed. Nothing herein contained shall impair the authority given by section seven.

SECTION 2. This act shall take effect upon its acceptance by the Boston Elevated Railway Company by vote of its board of directors.

Approved December 18, 1919.

Accepted December 29, 1919.

SPECIAL ACTS, 1919.—CHAPTER 249.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF BOSTON.

(Relates to appropriations for general school purposes for physical training, etc., for employment of nurses, etc.; increases tax limit and permits certain increases in salaries.)

See 1919 (S), ch. 206, s. 1.

SPECIAL ACTS, 1919.—CHAPTER 252.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Fixes appropriation limit for municipal purposes for year ending January 31, 1921, at \$10.52.)

1920.—CHAPTER 6.

AN ACT RELATIVE TO PENSIONING MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-three of the acts of eighteen hundred and ninety-two, as affected by chapter three hundred and six of the acts of nineteen hundred, is hereby amended by striking out section one and substituting the following:—*Section 1.* The police commissioner for the city of Boston may retire from active service and place upon a pension roll any member of the police department who has performed faithful service in said department for a period not less than twenty years, if in the judgment of the commissioner said officer is incapacitated for useful service on said force, and said commissioner shall retire from such services and place upon a pension roll any member of said force who has

arrived at the age of sixty-five years, or any member who shall be certified to said commissioner in writing, by the physician to the board of health of said city, as being permanently incapacitated, either mentally or physically, by injury sustained in the actual performance of duty, from further performing duty as such member; *provided, however*, that no officer shall be retired under the provisions of this act unless such action is approved in writing by the mayor of the city of Boston; and *provided*, that soldiers and sailors who served during the war of the rebellion and who have received an honorable discharge shall not be retired at the age of sixty-five years, except at their own request.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1920.

271 Mass. 172, 176.

1920.—CHAPTER 7.

AN ACT RELATIVE TO THE SALARY OF THE SUPERINTENDENT OF POLICE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section thirteen of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended by chapter three hundred and eleven of the acts of nineteen hundred and nine, is hereby further amended by inserting after the word "action", in the tenth line, the words:—with the approval of the governor and council, and by striking out the words "which shall not exceed five thousand dollars per annum", in the eleventh and twelfth lines, so as to read as follows:—*Section 13.* Except as authorized by the mayor of said city said commissioner shall not appoint any greater number of patrolmen than the present board of police of the said city is now authorized to appoint, nor shall the pay of the members of the police force other than said police commissioner and superintendent of police be increased or diminished, except by the concurrent action of said mayor and said police commissioner. The police commissioner may, without such concurrent action, with the approval of the governor and council, fix the salary of the superintendent of police. Deputy superintendents may be appointed from the police force from time to time by said police commissioner and they shall not be affected as to their selection or appointment by chapter nineteen of the Revised Laws or by acts in amendment thereof or by any rules established pursuant thereto.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1920.

1920.—CHAPTER 8.

AN ACT RELATIVE TO THE SALARY OF THE SECRETARY OF THE POLICE COMMISSIONER FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended by chapter

three hundred and seven of the Special Acts of nineteen hundred and seventeen, is hereby further amended by striking out the words "three thousand dollars", in the third line, and substituting the words:— an amount which shall be fixed by the police commissioner with the approval of the governor and council, — so as to read as follows:— *Section 8.* The annual salary of the police commissioner shall be eight thousand dollars, and of the secretary an amount which shall be fixed by the police commissioner with the approval of the governor and council, which shall be paid in monthly instalments by the city of Boston. Subject to the approval of the governor and council, the police commissioner shall be provided with such rooms, which shall be suitably furnished, as shall be convenient and suitable for the performance of his duties, the expense of which shall be paid by the city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1920.

1920.— CHAPTER 13.

AN ACT RELATIVE TO THE EMPLOYMENT OF LEGAL ASSISTANCE BY THE POLICE COMMISSIONER FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter two hundred and ninety-one of the acts of nineteen hundred and six is hereby amended by striking out the words "thirty-five hundred", in the fourth line, and substituting the words:— seven thousand, — so as to read as follows:— *Section 9.* Said police commissioner may employ such legal assistance as he may deem necessary in the performance of his duties, and may incur expense therefor to an amount not exceeding seven thousand dollars in any municipal year, which expense shall be paid by the city of Boston upon the requisition of said police commissioner.

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1920.

1920.— CHAPTER 50.

AN ACT RELATIVE TO THE RETIREMENT PENSIONS OF TEACHERS EMPLOYED BY THE CITY OF BOSTON IN CONTINUATION SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and ninety-four of the acts of nineteen hundred and fourteen is hereby amended by striking out the words "and of chapter eight hundred and five of the acts of the year nineteen hundred and thirteen", in the fifth and sixth lines, so as to read as follows:— *Section 1.* Teachers employed by the city of Boston prior to the thirtieth day of June, nineteen hundred and fourteen, in schools operating under the provisions of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven, may become members of the teachers' retirement association, as established by chapter eight hundred and thirty-two of the acts of the year nineteen hundred and thirteen, in the manner prescribed by paragraph (2) of section three of said chapter; and all teachers employed in the

said schools for the first time after the first day of July, nineteen hundred and fourteen, shall thereby become members of the said retirement association as prescribed by paragraph (1) of said section three.

SECTION 2. A teacher now employed in a continuation school conducted under chapter three hundred and eleven of the General Acts of nineteen hundred and nineteen, who is a member of the retirement association established by chapter eight hundred and thirty-two of the acts of nineteen hundred and thirteen, shall by making application in writing to the state teachers retirement board before July first, nineteen hundred and twenty, continue to be a member thereof until he leaves the continuation school service.

SECTION 3. All teachers employed by the city of Boston in continuation schools conducted under said chapter three hundred and eleven, shall be subject to chapter two hundred and thirty-seven of the acts of nineteen hundred and to chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, except teachers who under section two of this act continue to be members of the retirement association established by said chapter eight hundred and thirty-two.

SECTION 4. Any member of the retirement association established by said chapter eight hundred and thirty-two who becomes subject to said chapter two hundred and thirty-seven and said chapter five hundred and eighty-nine, shall be entitled to a refund of his contributions as provided by paragraph (1) of section seven of said chapter eight hundred and thirty-two, as amended by section three of chapter one hundred and ninety-eight of the General Acts of nineteen hundred and fifteen and by section nineteen of chapter two hundred and ninety-two of the General Acts of nineteen hundred and nineteen.

SECTION 5. All service rendered by a teacher in a school established by the city of Boston under the provisions of chapter eight hundred and five of the acts of nineteen hundred and thirteen, shall for the purposes of said chapter two hundred and thirty-seven and of said chapter five hundred and eighty-nine, be considered as public school service rendered to the city of Boston.

Approved February 20, 1920.

See 1905, ch. 349; 1922, ch. 521.

All except sections 3 and 5 repealed G. L. ch. 282.

1920.—CHAPTER 60.

AN ACT RELATIVE TO FIREMEN OF THE CITY OF BOSTON WHO ARE
PENSIONED ON ACCOUNT OF DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. If a fireman of the city of Boston is in receipt of a pension on account of disability by reason of injuries sustained in the performance of his duties, he shall, at the discretion of the fire commissioner, submit to a re-examination by a physician designated by the commissioner, and if the disability has ceased, or, if the fireman fails to submit to the said re-examination, his pension shall cease.

SECTION 2. The fire commissioner may, in an emergency, call upon any pensioned fireman for such temporary service in the department as he may be able to perform, and during such service the fireman shall be entitled, in lieu of his pension, to the full pay of the position to which he is temporarily appointed, and upon the termination of such service the fireman shall again receive his former pension.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1920.

Section 1, Amended 1927, ch. 257.

See 1880, ch. 107.

1920.—CHAPTER 66.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO DISPOSE OF THE WARREN CEMETERY.

Not accepted.

1920.—CHAPTER 68.

AN ACT RELATIVE TO THE ANNUITIES PAYABLE TO THE WIDOWS AND CHILDREN OF CERTAIN DECEASED POLICEMEN AND FIREMEN OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter ninety-three of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out section one and substituting the following:—*Section 1.* Annuities payable to widows and children of deceased policemen and firemen of the city of Boston, under the provisions of chapter one hundred and seventy-eight of the acts of eighteen hundred and eighty-seven or of section two of chapter one hundred and seven of the acts of eighteen hundred and eighty, shall be in such sums, not exceeding six hundred dollars, as the city council may determine.

Approved February 26, 1920.

1920.—CHAPTER 74.

AN ACT RELATIVE TO THE APPORTIONMENT OF ASSESSMENTS FOR HIGHWAYS AND OTHER IMPROVEMENTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter three hundred and ninety-three of the acts of nineteen hundred and six is hereby amended by striking out in the eleventh and twelfth lines the words "on request of the owner of any part thereof, or of the city collector", so as to read as follows:—*Section 8.* Assessments and damages for the public improvements aforesaid ordered after the passage of this act shall bear interest at the rate of four per cent per annum for damages, from the day of taking, and for assessments as hereinbefore provided. Assessments on real estate exempt by law from taxation, as determined and certified by the assessors of said city on application to them therefor by the owner, shall not be payable or bear interest until the day on which the estate ceases to be so exempt. Assessments, or so much as remains unpaid, on real estate divided shall forthwith be apportioned by the board of assess-

ors to the several parts in proportion to the values of the respective benefits thereto, from said improvement, as determined by said board of street commissioners. Assessments with interest shall, until paid, be a lien on the real estate on which they are assessed, from the day of the first publication of notice of the intention to make the improvement for which the assessment is made, or from the day of the passage of the order for the improvement if there is no such publication: *provided, however*, that in case of an apportionment as aforesaid only the amount of the apportionment and interest shall, until paid, be a lien on the part to which it is apportioned.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1920.

1920.—CHAPTER 91.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section two of chapter two hundred and five of the acts of nineteen hundred and fourteen, and by section two of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen, is hereby further amended by adding at the end thereof the following:—Before beginning the removal of any building or other structure, the building commissioner shall give notice by mail to the owner of his right to the material upon request. If the owner claims the material, he shall remove the same within ten days after the building or structure is taken down, and if he fails to do so, the building commissioner may dispose of the material.

SECTION 2. Section twenty of said chapter five hundred and fifty, as amended by section eight of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the paragraph relative to "Stone Foundations", being the last paragraph under the caption "Definitions", and substituting the following:—Foundations of stone shall be of square split stone, except that rubble stone shall be allowed under buildings outside the building limits as they existed prior to September twenty-third, nineteen hundred and thirteen, but only when such buildings do not exceed forty-five feet in height and the foundation wall is less than ten feet in depth. No rubble foundation shall be less than twenty inches in thickness. All walls shall be properly bonded by through courses.

SECTION 3. This act shall take effect upon its passage.

Approved March 3, 1920.

1920.—CHAPTER 92.

AN ACT TO ESTABLISH THE SALARIES OF THE DEPUTY ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by strik-

ing out the words “thirty-five hundred”, in the eighth line, and substituting the words:—four thousand,—so as to read as follows:—*Section 3.* The mayor may also appoint, for a term of three years from the first day of April in the year of appointment, and may at any time remove, in accordance with the provisions of said chapter four hundred and eighty-six, such deputy assessors as may be necessary, not exceeding five in number. Appointments at the expiration of a term or to fill vacancies shall be made in like manner. Each deputy assessor shall receive an annual salary of four thousand dollars, and shall perform such duties as the board of assessors, may prescribe.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1920.

1920.—CHAPTER 96.

AN ACT RELATIVE TO THE COMPENSATION OF THE ASSISTANT ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section four of chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by striking out the words “a sum not exceeding twelve hundred dollars”, in the fourth and fifth lines, and substituting the words:—such sum as shall be fixed by the mayor and city council by ordinance,—so as to read as follows:—*Section 4.* The board of assessors may, subject to the approval of the mayor, appoint and remove such assistant assessors as the work of the department requires, and each assistant assessor shall receive annually such sum as shall be fixed by the mayor and city council by ordinance as compensation for such services as the board of assessors may prescribe. Such appointments may be made from persons now serving as first assistant assessors or who have within six years of the passage of this act so served, or from the civil service list of persons eligible. The board of assessors may also, subject to the approval of the mayor, appoint and fix the compensation of a head clerk, and such other clerks and employees as may be found necessary.

Approved March 3, 1920.

1920.—CHAPTER 101.

AN ACT RELATIVE TO THE PAYMENT OF ASSESSMENTS FOR HIGHWAYS AND OTHER PUBLIC IMPROVEMENTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter three hundred and ninety-three of the acts of nineteen hundred and six is hereby amended by striking out the word “September”, in the fifth line, and substituting the word:—April,—so as to read as follows:—*Section 7.* Every assessment for an improvement specified in this act shall bear interest until paid, from the day when it is payable, which shall be the thirtieth day after it is made, and if not paid before the first day of April of the year next after the year in which it is made,

the assessors of said city shall include in the annual tax bills for the parcel, or in separate bills, annually, until the assessment is paid, a sum not exceeding ten per cent of the amount thereof, and shall also include in the bill for the first year interest on said amount from the thirtieth day after the assessment is made to the last day of October of such year, and in the bill for each year thereafter one year's interest on the amount of the assessment remaining unpaid; or, if the parcel has been divided as hereinafter provided, the assessors shall include the several apportionments and their proportions of interest in the annual tax bills, for the divisions, or in separate bills, and every amount in any such bill shall be collected and paid into the city treasury in the same manner in which taxes are collected and paid.

SECTION 2. This act shall take effect on its passage.

Approved March 5, 1920.

1920.—CHAPTER 126.

AN ACT TO AUTHORIZE THE EXTENSION OF THE ARNOLD ARBORETUM
IN THE CITY OF BOSTON.

Not accepted.

1920.—CHAPTER 129.

AN ACT RELATIVE TO THE CERTIFICATION OF SIGNERS OF INITIATIVE
AND REFERENDUM PETITIONS BY THE ELECTION COMMISSIONERS
OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Petitions under the initiative and referendum which require submission to the election commissioners of Boston for certification of the signers thereof as qualified voters, shall so be submitted not later than ten days preceding the time provided for filing said petitions with the secretary of the commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1920.

See 1895, ch. 449, s. 2.

1920.—CHAPTER 140.

AN ACT TO ENABLE THE CITY TREASURER, CUSTODIAN OF THE BOS-
TON TEACHERS' RETIREMENT ASSOCIATION, TO COLLECT RESER-
VATIONS FROM ALL MEMBERS ON A BASIS OF EQUALITY.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter two hundred and thirty-seven of the acts of nineteen hundred is hereby amended by adding at the end thereof the following:— and he shall also reserve from the salary of each teacher who comes under the provisions of this act, but is not paid in twelve monthly payments, the sum of eighteen dollars a year in instalments, according to a plan approved by the board of trustees,— so as to read as follows:— *Section 5.* Beginning with the monthly payments in November in the year nineteen hundred the city treasurer of the city of Boston shall reserve from the salary of each teacher who has come under the provisions of this act the sum of three dollars, and in every alternate monthly payments thereafter shall reserve the same sum, and shall pay the

sums so reserved into the school teachers' retirement fund, as herein provided, and he shall also reserve from the salary of each teacher who comes under the provisions of this act, but is not paid in twelve monthly payments, the sum of eighteen dollars a year in instalments, according to a plan approved by the board of trustees.

SECTION 2. Section ten of said chapter two hundred and thirty-seven is hereby amended by striking out the words "three months", in the fourth line, and substituting the words:—one year, — so as to read as follows:— *Section 10.* Any teacher who shall have been a contributing member for two years or more, who shall retire from the service of the city of Boston not being in receipt of an annuity, shall, upon application within one year after date of such retirement, receive one half of the total amount paid by such teacher into said fund.

SECTION 3. Section eleven of said chapter two hundred and thirty-seven is hereby amended by inserting after the word "provisions", in the fifth line, the words:— *provided, however,* that any teacher who was in the service of the city of Boston on April seventeenth, nineteen hundred, and who hereafter elects to come under the provisions of this act, shall, prior to receiving an annuity, pay into the fund a sum sufficient to make the total of said sum, together with the interest upon the reservations from the salary of the teacher, equal to the entire interest earnings that would have accrued upon the reservations from the salary of such teacher had the teacher entered the association on April seventeenth, nineteen hundred, all interest to be computed at the rate of four per cent a year and compounded annually, — so as to read as follows:— *Section 11.* This act shall be binding upon all teachers entering the service of the city of Boston after it goes into effect, and upon such of the teachers in the service of said city at the time of its enactment as may thereafter elect to come under its provisions:— *provided, however,* that any teacher who was in the service of the city of Boston on April seventeenth, nineteen hundred, and who hereafter elects to come under the provisions of this act, shall, prior to receiving an annuity, pay into the fund a sum sufficient to make the total of said sum, together with the interest upon the reservations from the salary of the teacher, equal to the entire interest earnings that would have accrued upon the reservations from the salary of such teacher had the teacher entered the association on April seventeenth, nineteen hundred, all interest to be computed at the rate of four per cent a year and compounded annually; and notice in writing to the superintendent of schools, signed by the teacher so electing, shall be conclusive as to such election.

Approved March 18, 1920.

1920.—CHAPTER 142.

AN ACT RELATIVE TO SESSIONS OF THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF BOSTON FOR PURPOSES OF REGISTRATION.

Be it enacted, etc., as follows:

Section eighty-three of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter forty-eight of the General Acts of nineteen hundred and fifteen, and

by section six of chapter two hundred and sixty-nine of the General Acts of nineteen hundred and nineteen, is hereby further amended by striking out the word "September", in the sixth line, and substituting the word:— August, — so as to read as follows:— *Section 83.* Said board shall hold such day sessions as the city may by ordinance prescribe, and such additional sessions as they shall deem necessary. They shall, in any event, hold in or near each ward in said city not less than ten evening sessions, each of at least three hours' duration, between the first day of August and the close of registration before the biennial state election, and not less than five such evening sessions between the first day of November and the close of registration before the annual city election. They shall also hold at their principal office a continuous session from nine o'clock in the morning until ten o'clock in the evening on the twentieth day preceding the biennial state election, and a like continuous session on the twentieth day preceding the annual city election, and a continuous session from twelve o'clock noon until ten o'clock in the evening on the seventh day preceding a special election.

Approved March 18, 1920.

1920.— CHAPTER 145.

AN ACT RELATIVE TO THE LISTING AND REGISTRATION OF VOTERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section eleven of chapter twenty-nine of the General Acts of nineteen hundred and seventeen is hereby amended by striking out in the thirty-fifth line, the word "thirtieth", and substituting the word:— twentieth, — so that the last sentence of the said section will read as follows:— If the statement of the applicant as to residence is found to be true, the election commissioners shall place the name of the applicant on the voting list; otherwise the election commissioners shall forthwith notify the applicant to appear before them, and, if not satisfied that his statement is true, shall not place his name upon the voting list: *provided, however,* that no application for registration under the provisions of this section shall be received by the election commissioners or assistant registrars later than the twentieth day preceding a state or municipal election.

Approved March 18, 1920.

1920.— CHAPTER 179.

AN ACT TO PROVIDE FOR THE PENSIONING OF FOREMEN, INSPECTORS, MECHANICS, DRAWTENDERS, ASSISTANT DRAWTENDERS AND STOREKEEPERS IN THE EMPLOY OF CITIES AND TOWNS.

Not accepted.

Repealed, G. L., ch. 282.

1920.— CHAPTER 211.

AN ACT RELATIVE TO THE APPOINTMENT OF WOMEN AS POLICE OFFICERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section ten of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as amended by chapter two hundred

and twenty-one of the acts of nineteen hundred and nine, is hereby further amended by inserting after the word "efficiency", in the fourth line, the words:— Women shall be eligible to appointment in the discretion of the commissioner, and a separate list of women shall be established by the division of civil service, so as to read as follows:— *Section 10.* The police commissioner shall have authority to appoint, establish and organize the police of said city and to make all needful rules and regulations for its efficiency. Women shall be eligible to appointment in the discretion of the commissioner, and a separate list of women shall be established by the division of civil service. He shall from time to time appoint a trial board, to be composed of three captains of police, to hear the evidence in such complaints against members of the force as the commissioner may deem advisable to refer to said board. Said trial board shall report its findings to said commissioner who may review the same and take such action thereon as he may deem advisable. Except as otherwise provided herein all the powers and duties now conferred or imposed by law upon the board of police of the city of Boston, are hereby conferred and imposed upon said police commissioner. All licenses issued by said police commissioner shall be signed by him and recorded in his office. He shall have all the powers of the board of police in regard to revoking licenses issued by him, and in addition may, in his discretion, for any cause deem satisfactory to him and without a hearing, suspend and make inoperative for such period as he may deem proper any license issued by him.

Approved March 29, 1920.

1920.— CHAPTER 266.

AN ACT RELATIVE TO THE ERECTION AND ALTERATION OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the first paragraph, entitled "*Permits*" and substituting the following:— *Permits.*— Before a permit is granted to erect any building except temporary buildings or buildings of minor importance, the commissioner may demand such further drawings, strain sheets, and description as will clearly show the entire construction, assumptions, calculations of stresses and all other structural details. Such details shall be in the form required by the commissioner, and calculation sheets shall be signed by the architect, engineer, contractor or other person responsible for them.

The commissioner shall not delay the issuance of a building permit if the plans submitted conform to the laws as to egress, class of construction and general arrangements, provided that the plans are accompanied by drawings showing the structural design and by a statement that the plans and designs conform to all the requirements of the law as to strength, stresses, strains, loads and stability and are signed and sworn to by the architect or engineer who made the calculations. The commissioner may examine, or cause to be examined, the structural design submitted, and may

require such changes in size or materials as may be necessary to comply fully with the requirements of this act.

Permits for general repairs, for minor alterations not involving extensive structural changes, and for small buildings of the second or third class, may be issued upon presentation of the application on a special blank for the purpose.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1920.

1920.—CHAPTER 296.

AN ACT TRANSFERRING CERTAIN DUTIES OF THE DEPARTMENT OF PUBLIC HEALTH TO THE METROPOLITAN DISTRICT COMMISSION.

(Transfers to Metropolitan District Commission certain powers and duties of Department and Commissioner of Public Health.)

See 1907, ch. 485; 1918 (S) 74.

1920.—CHAPTER 305.

AN ACT TO PLACE CERTAIN EMPLOYEES OF THE ELECTION DEPARTMENT OF THE CITY OF BOSTON UNDER CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. All appointments to the position of assistant registrar of voters in Boston for regular and permanent assignment to work in the office of the election department of said city shall hereafter be subject to the civil service laws and regulations, and the present and future incumbents of the said positions shall hold office until removed in accordance with the laws relating to civil service employees. The present incumbents shall be entitled to the protection of the said laws and regulations without examination.

SECTION 2. To be eligible for appointment to the position aforesaid under section eighty of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, an applicant for civil service examination shall file with the civil service commission a certificate signed by a member of the board of election commissioners of said city of the same political party affiliation as the applicant, which shall certify to the applicant's enrollment in the said party for the three consecutive years next preceding the date of his application.

SECTION 3. Nothing in this act shall affect the appointment or employment of assistant registrars of voters who are per diem employees and appointed for outside ward registration work, or employed in the office of said department for temporary work not exceeding thirty days in any one year.

SECTION 4. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter.

Approved April 14, 1920.

Accepted, January 13, 1922.

See 1895, ch. 449, s. 2.

1920.—CHAPTER 312.

AN ACT AUTHORIZING THE CONSTRUCTION OF STUART STREET AND THE WIDENING OF ELIOT STREET IN THE CITY OF BOSTON.

Sections 1 and 2, Amended 1920, ch. 465.

Sections 1 and 2 (as consolidated, amended and renumbered section one by chapter 465 of the Acts of 1920), Amended 1921, ch. 407, s. 1.

Section 3, Amended 1920, ch. 465.

Section 3 (as amended and renumbered section 2 by chapter 465 of the Acts of 1920), Amended 1921, ch. 407, s. 2.

Section 4 Amended 1920, ch. 465.

Section 5, Amended 1920, ch. 465.

See 1917 (S) ch. 329.

1920.—CHAPTER 314.

AN ACT TO EXTEND THE CIVIL SERVICE LAW TO CERTAIN EMPLOYEES OF THE SUPERINTENDENT OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. All appointments to positions in the department of the superintendent of public buildings of the city of Boston which require work at the various police, district or municipal court houses in the city, shall hereafter be made in accordance with the civil service laws and rules. The present holders of the said positions shall be deemed to be employed under the said laws and rules without examination.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1920.

See 1895, ch. 449, s. 22.

1920.—CHAPTER 315.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO BORROW ONE MILLION DOLLARS FOR THE PURPOSE OF IMPROVING THE EAST BOSTON FERRY SYSTEM.

(East Boston Ferry Loan Act of 1920.)

1920.—CHAPTER 393.

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF SANITARY CONDITIONS IN THE OLD HARBOR IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON.

(Power to borrow for sanitary improvement—Old Harbor Improvement Loan Act of 1920.)

Accepted, June 3, 1920.

1920.—CHAPTER 401.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Fixes appropriation limit for municipal purposes for year ending January 31, 1932, at \$11.00.)

1920.—CHAPTER 440.

AN ACT RELATIVE TO THE USE OF AUTOMATIC SPRINKLERS IN TENEMENT HOUSES IN THE CITY OF BOSTON, AND TO APPEALS FROM DECISIONS OF THE BUILDING COMMISSIONER.

Be it enacted, etc., as follows:

SECTION 1. Section forty-five of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, and by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, is hereby further amended by striking out the fourth paragraph and substituting the following paragraphs:—Stairway enclosures, and elevator, light, ventilating and dumb-waiter shafts in all tenement houses, now or hereafter existing, being more than three stories high and containing more than ten suites, shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner.

As to existing tenement houses of first class construction, and as to existing tenement houses of second or third class construction in which any stairway enclosure, elevator, light, ventilating or dumb-waiter shaft is fireproof, as defined in section thirty-three, as amended by section fourteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, the commissioner may waive the provisions of this section in respect to automatic sprinklers, except in cases where, in his opinion, a fire hazard exists.

The building commissioner may order the basement or cellar of any tenement house more than three stories in height and having more than ten suites to be provided with a system of automatic sprinklers approved by him as to situation, arrangement and efficiency unless the ceilings of such basements or cellars and all partitions therein are protected with fireproofing as provided in section thirty-three. If the ceilings and partitions of such a basement or cellar are protected, as aforesaid, with fireproofing, the commissioner may, nevertheless, require to be installed therein a system of automatic sprinklers approved by him as to situation, arrangement and efficiency, provided that he finds a hazardous fire condition to exist in such basement or cellar.

SECTION 2. Said section forty-five, amended as aforesaid, is hereby further amended by striking out the sixth paragraph, and substituting the following:—In every tenement house now or hereafter existing which is more than three stories high and has more than eight suites, all elevator, vent and dumb-waiter shafts and stairways shall be enclosed in the basement or cellar by masonry walls not less than eight inches thick, or by two-inch solid metal and plaster partitions with fireproof self-closing doors.

SECTION 3. Section seven of said chapter five hundred and fifty is hereby amended by striking out the word "ten", in the fourth line, and substituting the word:—thirty,— so that the first paragraph of the said section will read as follows:—An applicant for a permit whose application has been refused may appeal therefrom within ninety days. A person who has been ordered by

the commissioner to incur any expense may within thirty days after being notified of such order appeal therefrom by giving to the commissioner notice in writing of his appeal. Such notice or a certified copy thereof shall at once be transmitted by the commissioner to the board of appeal. After notice given to such parties as the board shall order, a hearing shall be had, and the board shall affirm, annul, or modify said refusal or order. The board may vary the provisions of this act in specific cases which appear to them not to have been contemplated by this act although covered by it, or in cases where manifest injustice is done, provided that the decision of the board in such a case shall be unanimous and shall not conflict with the spirit of any provision of this act.

Approved May 12, 1920.

249 Mass. 205, 208, 209.

1920.—CHAPTER 455.

AN ACT RELATIVE TO THE LIMITATION IN HEIGHT OF BUILDINGS ON LAND BETWEEN DARTMOUTH STREET AND TRINITY PLACE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The limitation of the height of buildings contained in chapter four hundred and fifty-two of the acts of eighteen hundred and ninety-eight shall not apply to a parcel of land now owned by the trustees of the Copley Square Trust, containing about twenty-one thousand two hundred and forty square feet, and bounded southerly on Stuart street two hundred and thirty-six feet, westerly on Dartmouth street, ninety feet, northerly on other land of said trustees on which now stands the Copley Plaza hotel two hundred and thirty-six feet, and easterly on Trinity place ninety feet. If, within two years from the passage of this act, said parcel of land or any part or parts thereof are taken by public authority for any public use, the owner or owners of the land so taken shall, with respect to the land taken and apart from improvements thereon, only be entitled to recover damages to the extent that they would have been entitled to recover if this act had not been passed.

SECTION 2. This act shall take effect upon its passage.

Approved May 14, 1920.

1920.—CHAPTER 465.

AN ACT TO CORRECT AND AMEND CHAPTER THREE HUNDRED AND TWELVE OF THE ACTS OF NINETEEN HUNDRED AND TWENTY.

(Stuart street.)

1920.—CHAPTER 471.

AN ACT RELATIVE TO THE ELECTION OF MEMBERS OF THE CITY COUNCIL OF THE CITY OF BOSTON.

Rejected at state election, Nov. 2, 1920.

1920.—CHAPTER 493.

AN ACT RELATIVE TO APPLICATIONS FOR CERTIFIED COPIES OF THE VOTING LISTS SHOWING THE PARTY ENROLMENT OF VOTERS.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and ten of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by section seven of chapter seven hundred and ninety of the acts of nineteen hundred and fourteen, and by section seven of chapter one hundred and seventy-nine of the General Acts of nineteen hundred and sixteen, is hereby further amended by striking out said section and substituting the following:—*Section 110.* When, in a primary, a voter seeks to pass the guard rail, he shall be asked by one of the ballot clerks, with which political party he desires to be enrolled, and the ballot clerk upon reply shall distinctly announce the name of such political party and give him such political party ballot. The voter's selection shall be checked on the voting list used by the ballot clerk, and such list shall be returned to the election commissioners in Boston, or to the city clerk in any other city, or to the town clerk in towns, for preservation during the next succeeding three calendar years. Said officers shall upon receiving a written request therefor signed by the chairman of any ward, town or city committee, or by at least ten voters in the ward, town or precinct for which the list is desired, and in Boston filed within fifteen days after the primary, furnish a certified copy of said list to any ward, town or city committee. The party enrolment of voters on such voting lists, and all subsequent party enrolment of voters, shall be transferred each year to the voting lists used at subsequent primaries, providing the names of such voters have been entered, in Boston, in the annual register prepared by the election commissioners from the police lists, and in other cities and in towns, in the annual register prepared from the assessors' lists.

SECTION 2. Section three hundred and five of said chapter eight hundred and thirty-five is hereby amended by inserting after the word "part", in the third line, the words:—or by a written request signed by the chairman of any ward, town or city committee, and in Boston filed within fifteen days after such election,—so as to read as follows:—*Section 305.* Upon written application, signed by at least ten voters in the town or ward of which the precinct forms a part, or by a written request signed by the chairman of any ward, town or city committee, and in Boston filed within fifteen days after such election, the city or town clerk, and in Boston the election commissioners, may open the envelope containing such voting list and may make a copy of the list as checked. In Boston, such copies shall contain only the name and residence of the voter. After any such voting list has been so copied, said clerk or election commissioners shall at once enclose the list in an envelope and seal up the same and certify thereon to the identity of such lists.

Approved May 19, 1920.

1920 — CHAPTER 524.

AN ACT FURTHER TO REGULATE APPROPRIATIONS BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

(Relates to appropriation for construction, etc., of new school buildings, etc., and for alteration and repair of school buildings, etc., relating to Public Latin School bonds and increased tax limit.)

Accepted by School Committee, June 7, 1920.

Accepted by City Council, June 21, 1920.

See 1919 (S) ch. 206, s. 1.

1920.—CHAPTER 552.

AN ACT RELATIVE TO ABATEMENTS OF POLL TAXES.

Be it enacted, etc., as follows:

* * * * *

SECTION 3. If, upon due investigation or proof, the assessors of the city of Boston are satisfied that a person whose name appears upon the lists furnished them under the provisions of section five of chapter ninety-three of the Special Acts of nineteen hundred and eighteen (a) was not an inhabitant of said city on April first, or (b) was named more than once upon said lists, or (c) was not in existence on April first, said assessors shall be empowered to correct said lists before assessing a poll tax to such person, and if such tax shall have already been assessed before discovery by the assessors of the error in said lists, the assessors shall have the power of their own motion, at any time, to abate such tax as erroneously or illegally assessed.

Approved May 27, 1920.

See 1918 (S) ch. 93, s. 5.

1920.—CHAPTER 579.

AN ACT TO ENABLE WOMEN VOTERS TO VOTE AT PRIMARIES AND ELECTIONS WHEN QUALIFIED.

Whereas, Upon the ratification of the proposed amendment to the federal constitution which provides that the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex, the immediate taking effect of this act would be necessary in order that provision may be made for the registration and listing of female voters in this commonwealth, therefore this act is hereby declared to be an emergency act necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen is thereby amended by striking out section sixty and substituting the following:—*Section 60.* Registrars or election commissioners shall, from the names entered in the annual register of voters, prepare voting lists for use at the several elections to be held therein. In such voting lists they shall

place the names of all voters entered on the annual register, together with the names of female voters qualified under the provisions of section thirteen, and no others, and opposite to the name of each, his or her residence on the preceding first day of April or at the time of his or her becoming an inhabitant of such place after such day. In cities they shall prepare such voting lists by wards, and if a ward or town is divided into voting precincts, they shall prepare the same by precincts in alphabetical order, or by streets, except that in Boston the voting lists shall be prepared by streets. Names shall be added thereto or taken therefrom as persons are found to be qualified or not qualified to vote.

SECTION 2. Every female citizen having the qualification of male voters under the provisions of section twelve of said chapter eight hundred and thirty-five shall have the right to vote in any city, town or state election, or primary or caucus.

SECTION 3. If the name of a female who is duly registered as a voter is changed by marriage or by decree of court within sixty days prior to any city, town or state election, or primary or caucus, she may vote at such election, primary or caucus in her former name, but at any election, primary or caucus held after the expiration of such period she may not vote without first re-registering in her new name, and on any re-registration on account of change of name the marriage certificate or decree of court, as the case may be, or a certified copy thereof shall be exhibited to the registrar.

SECTION 4. This act shall take effect upon the adoption of the proposed amendment to the federal constitution which provides that the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Approved June 2, 1920.

All except section 1, Repealed, G. L. ch. 282.
276 Mass. 398, 410.

1920.—CHAPTER 613.

AN ACT TO PROVIDE FOR THE PUBLIC OPERATION OF STREET RAILWAY LINES IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. That part of the city of Boston formerly within the boundaries of the town of Hyde Park together with that part of River street which extends from the old Hyde Park-Boston line to Mattapan square, shall for the purposes of street railway transportation, constitute an area or district. For the purposes of this act and none other, the trustees for the time being appointed under chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and their successor or successors in office are constituted a corporation under the name of Hyde Park Transportation District, hereinafter called the corporation, with all the powers of a street railway company organized under the general laws.

SECTION 2. Upon certification by the department of public utilities, hereinafter called the department, that the work required by section six has been performed and that the following lines in

said area, to wit: the line from Wolcott square, Readville, through Cleary square to the former Hyde Park-Boston boundary line, and the River street line from Mattapan square through Cleary square to the Dedham boundary line, are in safe and proper condition for operation, the said street railway lines in said area shall, during the period of public management and control of the Boston Elevated Railway Company under said chapter one hundred and fifty-nine and any amendments thereof, be managed and operated by the corporation in behalf of the city of Boston in the same manner and to the same extent as are the lines of the Boston Elevated Railway Company. All the provisions of said chapter one hundred and fifty-nine, so far as they are relevant, and except as is otherwise provided in this act, shall apply to the management and operation of street railway transportation in the said district.

SECTION 3. Upon said certification by the department, the Eastern Massachusetts Street Railway Company shall cease to operate said street railway lines within the said area and shall permit the corporation to take over and operate the same and all property appurtenant thereto which the department certifies is necessary for the safe and efficient operation of said lines. The corporation shall pay to said company an annual rental at the rate of six per cent on a sum equal to the value of the property taken over as determined under the provisions of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen, increased or diminished by any appreciation or depreciation of said value which shall have occurred since the first day of June, nineteen hundred and nineteen. The said sum shall be determined by the department at the time and as a part of its certification under section two. The said annual rental shall be paid in such instalments and at such times as the department may fix.

SECTION 4. The corporation shall make such arrangements that the rate of fare within the said Hyde Park area and the rate of fare to and from any and all parts of said area to and from any and all parts of all sections or districts served by the Boston Elevated Railway Company shall not exceed the unit rate of fare which the Boston Elevated Railway Company now charges or may hereafter charge on its system: *provided however*, that nothing herein contained shall prevent the establishment of uniform and graduated rates of fare over the entire system of, and in all the districts served by, the Boston Elevated Railway Company, and the corporation.

SECTION 5. Any excess of the cost of service for said area over the income thereof, determined as of the first day of February in any year by the department whose decision with respect thereto shall be final, shall forthwith, upon filing with the treasurer of the city of Boston of a certified copy of such determination, be paid to the corporation, and for this purpose the said city is authorized to raise by taxation, in excess of any tax limit imposed by law, the amount of the deficit. The treasurer of the city of Boston shall forthwith make said payment out of the funds of the city.

SECTION 6. The trustees of the Eastern Massachusetts Street Railway Company are hereby authorized and directed to construct a double track line on Hyde Park avenue, beginning where the double track now ceases at the junction of Hyde Park avenue and

Metropolitan avenue and running thence to Cleary square. Seven per cent of the cost of the construction of the said double track line, as determined and approved by the department, shall be paid by the corporation as a yearly rental for the use of the said double track line so long as the tracks are operated by the corporation. In addition to said rental as herein fixed there shall yearly be reserved and either paid at the expiration of operation hereunder or expended during the period of operation hereunder upon said property taken over in addition to ordinary expenditures for repairs, such amounts as the department shall determine to be adequate to provide for depreciation on said new construction made by the Eastern Massachusetts Street Railway Company.

SECTION 7. At any time before January first, nineteen hundred and twenty-two, the mayor of the city of Boston may, on such terms as he may fix and subject to the provisions of the city charter, authorize the expenditure by the city of such sum, not exceeding thirty thousand dollars, as may be certified by the department to be necessary for sufficient repairs and reconstruction of the roadbed, tracks poles, wires, and other appurtenances of all the street railway lines in said area, except those lines included in the provisions of section six of this act, for the purpose of rendering the said lines safe for operation. The said amount shall be paid by the city of Boston, and for this purpose the city is authorized to raise the necessary sum by taxation in excess of any tax limit imposed by law.

SECTION 8. The trustees of the Eastern Massachusetts Street Railway Company, if aggrieved by the determination of the rental of said lines by the department, as herein provided, may appeal therefrom to the superior court within thirty days thereafter.

SECTION 9. The city of Boston, acting by the mayor and without other authorization than is herein contained, is hereby authorized to pay to the corporation the sum of fifty thousand dollars to be known as the Reserve Fund, which fund shall be used by the corporation to pay the cost of service in said area or district as may from time to time be necessary. Whenever the income of the district is insufficient to meet the cost of service, the reserve fund shall be used, so far as may be necessary, to make up the deficiency, and whenever, on the other hand, the income is more than sufficient to meet the cost of service, the excess shall be transferred to and become a part of the reserve fund. If at any time the reserve fund becomes less than ten thousand dollars, the city of Boston shall, upon certification by the trustees constituting the corporation filed with the treasurer of the city, pay to the corporation a sum sufficient to restore the fund to its original amount. Upon termination of operation under the provisions of this act, any amount remaining in the reserve fund shall be paid to the city of Boston. The city of Boston is authorized to raise by taxation, in excess of any tax limit imposed by law, such sums as may be necessary to keep the reserve fund at the amount aforesaid.

SECTION 10. In the operation of the said lines in said district and in the employment of the reserve fund therefor, none of the trustees constituting the corporation shall be personally liable in any event, except in case of actual fraud or bad faith on his part.

SECTION 11. The department shall forthwith, and from time

to time thereafter, determine what proportion, if any, of the unit fare paid by passengers to and from any part of said district to and from any sections or districts served by the Boston Elevated Railway Company shall be assigned to operations in said district and be taken as a part of the income of said district; and so far as any property of the Boston Elevated Railway Company is used or other service rendered by it in connection with the operation of the lines in said district, what amount shall be paid to said company therefor.

SECTION 12. Sections one and nine of this act shall take effect upon its passage; the remaining sections shall take effect upon payment of the amount of said reserve fund to the corporation.

Approved June 4, 1920.

Section 2, Amended 1920, ch. 637, s. 2.

Section 3, Amended 1920, ch. 637, s. 3.

Section 6, Amended 1920, ch. 637, s. 4.

See 1920, ch. 637; 1922, Opinions of Attorney General, 140; 1923, ch. 405.

1920.—CHAPTER 636.

AN ACT RELATIVE TO THE READJUSTMENT OF VOTING PRECINCTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two hundred and seventeen of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter seventy-four of the General Acts of nineteen hundred and eighteen, is hereby further amended by striking out all after the word "precincts", in the sixteenth line down to and including the word "voters", in the twenty-fourth line and substituting the following:—or, in Boston whenever in the judgment of the election commissioners a new division of precincts is necessary for the proper conduct of primaries and elections, the election commissioners may make a new division of the ward into voting precincts,—so as to read as follows:—*Section 217.* Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than one thousand voters.

Every ward shall constitute a voting precinct by itself, or shall be divided into such precincts. If a ward constituting one precinct contains less than one thousand voters, according to the registration of voters at the preceding annual city election, the aldermen may, and if it contains more than one thousand voters, shall, on or before the first Monday of July, divide it into two or more voting precincts. If a voting precinct shall, in any year, according to such registration, contain more than one thousand voters, the aldermen shall in like manner either divide such precinct into two or more voting precincts or shall make a new division of the ward into voting precincts; or, in Boston whenever in the judgment of the election commissioners a new division of precincts is necessary for the proper conduct of primaries and elections, the election commissioners may make a new division of the ward into voting precincts. Such precincts shall be so established as to contain, as nearly as may be, an equal number of voters, shall consist

of compact and contiguous territory entirely within one ward, and be bounded, so far as possible, by the centre line of known streets or ways or by other well-defined limits.

SECTION 2. This act shall take effect upon its passage.

Approved December 22, 1920.

1920.—CHAPTER 637.

AN ACT TO PROVIDE FOR IMMEDIATE PUBLIC OPERATION OF CERTAIN STREET RAILWAY LINES BY THE HYDE PARK TRANSPORTATION DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The Hyde Park Transportation District, incorporated under the provisions of chapter six hundred and thirteen of the acts of nineteen hundred and twenty, is hereby authorized to receive, and the city of Boston is hereby authorized to pay to it the thirty thousand dollars authorized to be expended under the provisions of section seven of said chapter to be expended by said corporation for the subjects specified in that section. The said amount shall be expended under the supervision of the department of public utilities. The provisions of section ten of the said chapter shall apply to such expenditure.

SECTION 2. Section two of said chapter six hundred and thirteen is hereby amended by striking out after the word "performed", in line three, the words "and that", and by striking out after the words "boundary line" in line eight, the words "are in safe and proper condition for operation, the said street railway lines in said area", so as to read as follows:—*Section 2.* Upon certification by the department of public utilities, hereinafter called the department, that the work required by section six has been performed, the following lines in said area, to wit: the line from Wolcott square, Readville, through Cleary square to the former Hyde Park-Boston boundary line, and the River street line from Mattapan square through Cleary square to the Dedham boundary line, shall, during the period of public management and control of the Boston Elevated Railway Company under said chapter one hundred and fifty-nine and any amendments thereof, be managed and operated by the corporation in behalf of the city of Boston in the same manner and to the same extent as are the lines of the Boston Elevated Railway Company. All the provisions of said chapter one hundred and fifty-nine, so far as they are relevant, and except as is otherwise provided in this act, shall apply to the management and operation of street railway transportation in the said district.

SECTION 3. Section three of said chapter six hundred and thirteen is hereby amended by inserting after the word "department", in the first line, the words:—and upon payment of the sum authorized to be paid by section seven to said corporation, it shall forthwith begin to manage and operate the street railway lines defined in section two under and in accordance with the provisions of this act and,—and by inserting after the word "nineteen", in the fourteenth line, the words:—exclusive of appreciation or depreciation

on account of the construction of the double track line constructed from the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square, under the provisions of section six,—so that said section will read as follows:

—*Section 3.* Upon said certification by the department and upon payment of the sum authorized to be paid by section seven to said corporation, it shall forthwith begin to manage and operate the street railway lines defined in section two under and in accordance with the provisions of this act and the Eastern Massachusetts Street Railway Company shall cease to operate said street railway lines within the said area and shall permit the corporation to take over and operate the same and all property appurtenant thereto which the department certifies is necessary for the safe and efficient operation of said lines. The corporation shall pay to said company an annual rental at the rate of six per cent on a sum equal to the value of the property taken over as determined under the provisions of chapter one hundred and eighty-eight of the Special Acts of nineteen hundred and eighteen, increased or diminished by any appreciation or depreciation of said value which shall have occurred since the first day of June, nineteen hundred and nineteen, exclusive of appreciation or depreciation on account of the construction of the double track line constructed from the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square, under the provisions of section six. The said sum shall be determined by the department at the time and as a part of its certification under section two. The said annual rental shall be paid in such instalments and at such times as the department may fix.

SECTION 4. Section six of said chapter six hundred and thirteen is hereby amended by striking out all after the word “corporation” in line ten and by substituting the following:—In addition to said rental as herein fixed there shall yearly be paid to the Eastern Massachusetts Street Railway Company such amounts as the department shall determine to be adequate to provide for depreciation on said new construction made by the Eastern Massachusetts Street Railway Company,—so that the said section will read as follows:—*Section 6.* The trustees of the Eastern Massachusetts Street Railway Company are hereby authorized and directed to construct a double track line on Hyde Park avenue, beginning where the double track now ceases at the junction of Hyde Park avenue and Metropolitan avenue and running thence to Cleary square. Seven per cent of the cost of the construction of the said double track line, as determined and approved by the department, shall be paid by the corporation as a yearly rental for the use of the said double track line so long as the tracks are operated by the corporation. In addition to said rental as herein fixed there shall yearly be paid to the Eastern Massachusetts Street Railway Company such amounts as the department shall determine to be adequate to provide for depreciation on said new construction made by the Eastern Massachusetts Street Railway Company.

SECTION 5. This act shall take effect upon its passage.

Approved December 22, 1920.

See 1923, 405.

1920.—CHAPTER 641.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF BOSTON.

(Relates to appropriations for general school purposes, for physical training, etc., for employment of nurses, etc., for educational and recreative activities, etc., and increases tax limit.)

Accepted by School Committee, Dec. 23, 1920.

Accepted by City Council, January 12, 1921.

See 1919 (S), ch. 206, s. 1.

1920.—CHAPTER 645.

AN ACT RELATIVE TO AUTOMATIC SPRINKLERS IN TENEMENT HOUSES IN THE CITY OF BOSTON.

Not accepted.

1921.—CHAPTER 54.

AN ACT INCREASING THE AMOUNT THAT MAY BE EXPENDED BY THE CITY OF BOSTON TO OBTAIN INFORMATION ON MUNICIPAL AFFAIRS.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and seventy-four of the acts of nineteen hundred and fourteen is hereby amended by striking out, in the fifth line, the words "twenty-five hundred", and inserting in place thereof the words:—five thousand,—so as to read as follows:—*Section 2.* The mayor and city council of the city of Boston are hereby authorized to appropriate annually, under the provisions of section three of chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, an amount not exceeding five thousand dollars to defray the travelling and other necessary expenses incurred under the provisions of section one of this act. An itemized account of such expenses shall be filed with the city auditor.

SECTION 2. This act shall take effect upon its acceptance by the city council of the said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year. *Approved February 28, 1921.*

Accepted, June 7, 1921.

1921.—CHAPTER 60.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section two of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, is hereby further amended by inserting before the word "bridges", in the second line, the words:—public highway and railway,—so as to read as follows:—*Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays, or wharves, nor to buildings on

land ceded to the United States or owned and occupied by the commonwealth, nor to the Suffolk county court house, jail, or house of correction, nor to railroad stations, nor to portable or permanent school buildings erected and maintained by the school-house department, except as provided in section seventeen of this act and amendments thereof or additions thereto, nor to voting booths erected and maintained by the board of election commissioners; and also provided that permits from the building commissioner for the erection of school buildings shall be required and that such buildings shall be subject to the inspection of the building department.

Except as otherwise provided by law, the provisions of this act shall not be held to deprive the board of health, the police commissioner, the board of street commissioners, the board of park commissioners, the board of examiners of gas fitters, the commissioner of wires, or the fire commissioner of the city of Boston of any power or authority which they have at the date of the passage of this act, or of the remedies for the enforcement of the orders of said boards or officers; unless such powers, authorities, or remedies are inconsistent with the provisions of this act; nor to repeal any existing law, not herein expressly repealed, except so far as it may be inconsistent with the provisions of this act.

SECTION 2. Section thirty-two of said chapter five hundred and fifty, as amended by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, and by section thirteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out, in the second line of subparagraph (f) the words "roof loads (without roof gardens)", so that said paragraph will read as follows:—(f) Metal, other than columns, carrying no other loads than ceilings, or suspended balconies not over eight feet wide. When a suspended ceiling is used it shall be of metal lath and plaster with all hanging rods, ties, stiffening, and the like, of metal.

SECTION 3. Section seventy-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fifth and sixth lines, the words "and of a size to provide seats for more than five hundred spectators", so as to read as follows:—*Section 77.* Every building hereafter erected so as to contain an audience hall and a stage, with curtain, movable or shifting scenery, and machinery, adapted for the giving of plays, operas, spectacles or similar forms of entertainment, shall be a theatre within the meaning of this act. No existing building not now used as a theatre shall be altered and used as a theatre, unless it conforms to the provisions of this act for a new theatre.

SECTION 4. Section seventy-eight of said chapter five hundred and fifty is hereby amended by striking out, in the second and third lines, the words "fireproof construction throughout, except that the floor boards may be of wood", and inserting in place thereof the words:—first class construction,—so as to read as follows:—*Section 78.* Every theatre hereafter built shall be of first class construction, and the steel work of the stage, of the fly galleries, and of the rigging loft need not be fireproofed.

SECTION 5. Section eighty-three of said chapter five hundred and fifty is hereby amended by inserting after the word "stage", in the eighth line, the words:—and plumbing, ventilating and such other pipe openings as may be approved by the building commissioner, such openings to be firestopped,—so as to read as follows:—*Section 83.* The stage of every theatre shall be separated from the auditorium by a wall of fireproof construction, which wall shall extend the whole width of the auditorium and the whole height to the roof of the portion occupied by the stage. There shall be no openings through this wall except the curtain opening, one doorway each side behind the boxes, and one doorway which shall be located at or below the level of the stage, and plumbing, ventilating and such other pipe openings as may be approved by the building commissioner, such openings to be firestopped. The doorways shall not exceed twenty-one superficial feet each, and shall have standard fire-doors hung in a manner satisfactory to the commissioner. The finish or decorative features around the curtain opening of every theatre shall be of fireproof material.

SECTION 6. Section eighty-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fourth, fifth and sixth lines, the words "No seat in the auditorium shall have more than six seats intervening between it and an aisle, on either side", and inserting in place thereof the words:—No rows of seats in the auditorium shall contain more than fourteen seats between aisles and where there is but one aisle no row shall contain more than seven seats,—so as to read as follows:—*Section 87.* All seats in the auditorium excepting those contained in boxes shall be spaced not less than thirty inches from back to back, measured in a horizontal direction, and shall be firmly secured to the floor. No row of seats in the auditorium shall contain more than fourteen seats between aisles and where there is but one aisle no row shall contain more than seven seats.

The platforms for seats in balconies and galleries shall nowhere have a greater rise than twenty-one inches, nor be less than thirty inches from back to back.

SECTION 7. Section eighty-nine of said chapter five hundred and fifty is hereby amended by inserting after the word "rising", in the fourth line, the words:—or declining,—by inserting after the word "inclines", in the same line, the words:—or declines,—and by inserting after the word "rising", in the sixth line, the words:—or declining,—so as to read as follows:—*Section 89.* All changes in the levels of the floors of such buildings, except under stairways, from story to story, and except the necessary steps in galleries and balconies rising or declining toward the exits, shall be made by inclines or declines of no steeper gradient than two in ten within the auditorium, and rising or declining toward the exits, and one in ten for all others.

SECTION 8. Section ninety-eight of said chapter five hundred and fifty is hereby amended by striking out, in the thirteenth and fourteenth lines, the words "If counter-weighted, these stairs shall be lowered during all performances", so as to read as follows:—*Section 98.* In addition to the exits previously described there shall be one exit from each side of each gallery, balcony, and main

floor of auditorium, at least five feet wide, leading to exterior balconies not less than four feet wide and twenty feet long on each side of the auditorium. From such balconies there shall be staircases extending to the ground level, which may be counterweighted, with risers of not over eight and one half inches and treads of not less than nine and one half inches, exclusive of nosing. The aggregate width of these emergency stairs shall be not less than ten inches for every one hundred people served thereby, no single stairs being less than thirty inches wide.

Where all such stairs are in an interior court, each run shall be covered by a light awning of iron.

Nothing herein shall prohibit the building of emergency stairs and exits inside the walls of the building, provided that they are surrounded by a fireproof partition not less than four inches thick separating the exits and stairways from the audience room or auditorium.

SECTION 9. Section ninety-nine of said chapter five hundred and fifty is hereby amended by adding at the end of the third paragraph, the words:—or shall be shown by stereopticon upon a moving picture screen at least once during the afternoon and evening for a period of not less than two minutes,—so as to read as follows:—*Section 99.* The commissioner shall have power to require a greater number or capacity of exits than is herein prescribed.

In every theatre there shall be over every exit, on the inside, and over every opening to a fire-escape, on the inside, an illuminated sign, bearing the word “exit” or “fire-escape”, respectively, in letters not less than four inches high. The lights for the exit signs, passages, stairs, lobbies, auditoriums, rear of auditoriums, balconies, galleries, and for the balconies and stairs outside the building, shall be so arranged that they can be turned on or off independently of the means provided on the stage or in any part of the building in the rear of the proscenium wall. Every exit sign shall be kept illuminated, and every outside balcony and fire-escape shall be kept well lighted during the performance, except outside exits during a performance before sunset.

Plans showing the exits and stairways shall be legibly printed so as to occupy a full page of every programme or play-bill or shall be shown by stereopticon upon a moving picture screen at least once during the afternoon and evening for a period of not less than two minutes.

In said buildings there shall be such number of gas pipe outlets as the commissioner may require, fitted with no less than two gas burners. Such burners shall be inspected and tried at least once in every three months by inspectors of the department, to ascertain if they are in proper working order. The inspector shall make a report of each visit, stating the condition of the burners and the action of the inspector in regard to them.

The commissioner shall have authority to order any defect in the working of such burners as are necessary for public safety to be remedied.

So much of this section as applies to the inspection of gas burners shall apply to buildings now used as theatres.

SECTION 10. Section one hundred and one of said chapter five hundred and fifty is hereby amended by inserting after the word "turn", in the seventh line, the words:— except stairways leading to private boxes, — so as to read as follows:— *Section 101.* Every landing shall be at least four feet wide. When straight stairs return directly on themselves, a landing of the full width of both flights, without any steps, shall be provided. The outer line of landings shall be curved to a radius of not less than two feet to avoid square angles. Stairs turning at an angle shall have a proper landing without winders introduced at the turn except stairways leading to private boxes. No door shall open immediately upon a flight of stairs, but a landing at least two feet wider than the width of the door opening shall be provided between such stairs and such door. When two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight shall be at least equal to the aggregate width of the side flights.

SECTION 11. Section one hundred and five of said chapter five hundred and fifty as amended by section one of chapter three hundred and seventy of the acts of nineteen hundred and twelve, and by chapter fifty of the acts of nineteen hundred and thirteen, is hereby further amended by inserting after the word "walls", in the fifth line of the fourth paragraph, the words:— or floors, — so that said paragraph will read as follows:— If several halls or assembly-rooms are provided in one building, their aggregate capacity shall be considered as determining whether or not the building shall be of fireproof construction, unless the several halls are enclosed by or separated from each other by fireproof walls or floors, with fireproof doors in the same, in which case the building may be of second class construction.

Approved February 28, 1921.

1921.—CHAPTER 65.

AN ACT ENABLING WOMEN TO SIGN NOMINATION PAPERS FOR CANDIDATES AND TO BE CANDIDATES FOR OFFICE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-five of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out, in the first and second lines, the words "for a member of the school committee", and by striking out, in the third line, the word "that", so as to read as follows:— *Section 55.* Women who are qualified to vote may be nominated as and sign nomination papers for candidates for office in the manner and under the same provisions of law as men.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1921.

1921.—CHAPTER 81.

AN ACT TO PROVIDE FOR A LARGER APPROPRIATION FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section twenty

and inserting in place thereof the following:—*Section 20.* The said commission is authorized to employ such experts, counsel, and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said city upon requisition by the commission, not exceeding in the aggregate in any year the sum of thirty-five thousand dollars, or such additional sums as may be appropriated for the purpose by the city council and approved by the mayor. A sum sufficient to cover the salary of the chairman of the commission and the further sum of at least thirty-five thousand dollars to meet the expenses as aforesaid each year shall be appropriated by said city. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city.

Approved March 2, 1921.

263 Mass. 173, 179.

1921.—CHAPTER 86.

AN ACT RELATIVE TO UNCLAIMED PROPERTY IN THE BOSTON CITY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. If any money, goods or other property remains unclaimed in the possession of the trustees of The Boston City Hospital for a period of one year, and the owner or his place of abode or business is unknown, said trustees may sell such goods or other property at public auction, notice of the time and place of sale, with a description of the property to be sold, first being given by publishing once a week in three successive weeks in any newspaper published in Boston.

SECTION 2. Such property, if perishable or likely to deteriorate greatly in value by keeping or the value of which will probably be less than the expense of keeping, may be sold at public auction at any time the said trustees deem advisable, except that reasonable notice of the time and place of sale shall first be given by publishing the same once in any newspaper in Boston.

SECTION 3. Such unclaimed money, or the proceeds of such sale, after deducting all reasonable charges and expenses incurred on account of such money or property, shall be paid into the city treasury.

SECTION 4. If, within two years after such sale, the owner claims and proves his title to such property, the proceeds of such sale, after deducting all reasonable charges and expenses, shall be paid over to him upon the order of the said trustees.

SECTION 5. This act shall take effect upon its passage.

Approved March 10, 1921.

See 1858, ch. 113.

1921.—CHAPTER 93.

AN ACT RELATIVE TO THE FORM OF THE GENERAL REGISTER AND STREET LISTS OF VOTERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen is hereby amended by strik-

ing out section eighty-two and inserting in place thereof the following:—*Section 82.* Said board shall prepare books for the registration of the voters, and the books so prepared shall constitute the general register of voters in said city. Said books shall be in substantially the following form:—

											Street.	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	
Date of Application for Registration.	No. of Residence or Other Designation, April 1, of the Year of Application.	Name.	Signature.	Length of Residence in City.	Occupation.	Place of Occupation.	Place of Birth.	Court of Naturalization.	Date of Naturalization Papers.	PERSONAL DESCRIPTION.		Present Residence.
										Age.	Height.	

Under the several headings, there shall be entered as follows:—

One, The day, month and year when the applicant is adjudged a qualified voter.

Two, The name of the applicant and the number on the street, place or other location of his or her dwelling on that day, or if there is no number, such clear and definite description of the place of said dwelling that it can be readily ascertained; if more than one family resides in said dwelling, the floor on which the applicant resides; and if there is more than one house at the number given by the applicant, in which one of them he or she resides.

Three, The full surname and the Christian name of the applicant, or the name by which he or she is generally known, and the initial of every other name which he or she may have.

Four, The applicant shall write his or her name on a line with the statements herein set forth.

Five, The number of months or years which the applicant states that he or she has lived in said city.

Six, A full statement of his or her occupation.

Seven, The place of his or her occupation.

Eight, The name of the city or town, county and state, country, kingdom, empire or dominion where he or she was born.

Nine, The designation of the court where the applicant, if he or she was an alien, was naturalized.

Ten, The date of such naturalization.

Eleven, The age and approximate height of the applicant.

Twelve, The residence of the applicant at the date of registration.

The names of all voters residing in the same dwelling shall be placed together.

SECTION 2. Section eighty-five of said chapter eight hundred and thirty-five, as amended by section seven of chapter two hundred and sixty-nine of the General Acts of nineteen hundred and nineteen, is hereby further amended by striking out in the form the word "Weight", so as to read as follows:—*Section 85.* Said board shall after the close of registration and before the biennial state election and in odd numbered years before the annual city election, make, by precincts, from the annual register, street lists of the voters to be used as the voting lists at elections. Each list shall contain not less than two hundred names, and names shall be added to or taken therefrom, as persons are found qualified or not qualified to vote. Said lists shall be in the following form:—

.....Street.

NAME OF VOTER.	Residence, Number, or Other Designation, April 1, of the Year of Election.	Length of Residence in City.	PERSONAL DESCRIPTION.	
			Age.	Height.

Approved March 10, 1921.

1921.—CHAPTER 108.

AN ACT TO CHANGE THE DATE OF THE ANNUAL REPORT OF THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED RAILWAY COMPANY.

Be it enacted, etc., as follows:

Chapter one hundred and eighty-five of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out, in the fourth line, the words "the fifteenth day of January", and inserting in place thereof the words:—February first,— and by striking out, in the seventh line, the word "first", and inserting in place thereof the word:—thirty-first,— so as to read as follows:—The board of trustees of the Boston Elevated Railway Company, created under chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, shall, on or before February first in each year, make a report to the general court of its proceedings during the preceding year, together with a statement of the financial condition as of December thirty-first of the preceding year, and the results of operation, of the system under its control, and such other information and comments relative thereto as the board may deem proper.

Approved March 12, 1921.

1921.—CHAPTER 114.

AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF BOSTON.

Whereas, It is necessary that this act take effect forthwith in order to apply to the current listing of voters in the city of Boston, therefore, inasmuch as certain provisions thereof are not restricted in their operation to said city, the act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-nine of the General Acts of nineteen hundred and seventeen is hereby amended by striking out section eight and inserting in place thereof the following:—*Section 8.* The listing board shall, within the first twenty week days of April in each year, by itself or by police officers subject to the jurisdiction of the police commissioner, visit every building in said city, and after diligent inquiry make true lists, arranged by streets, wards and voting precincts, and containing, as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every person, twenty years of age or upwards, who is not a pauper in a public institution, residing in said city. Said board shall designate in the said lists all buildings used as residences by such persons, in their order on the street where they are situated, by giving the number or other definite description of every such building so that it can readily be identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such person residing therein on the first day of April in the current year, and residence on the first day of April in the preceding year. If in any year the police commissioner shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first twenty week days of April the said visitation, and to transmit to the election commissioners on or before the twenty-fifth day of May the lists described in this section, he shall have authority, after having given notice in writing to the listing board and to the board of election commissioners of the city, to take such further time for the said visitation and transmission, not exceeding ten week days, as he shall deem necessary.

The board shall place in the lists made by it, opposite the name of every such person, the name of the inmate, owner or occupant of the building, or the name and residence of any other person who gives the information relating to such person. Where such information is given by one person relating to more than one such person residing in one building, ditto marks may be used in the lists under the name of the person giving the information, after his name has once been placed opposite the name of such person first written down as residing in such building.

The board shall, upon the personal application of a person listed for the correction of any error in their lists or whenever informed of any such error, make due investigation, and upon proof

thereof correct the same on their lists, and shall immediately notify the election commissioners of such correction, who shall correct their copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section thirty-eight of chapter fifty-one of the General Laws. The board shall cause all applications and affidavits received by it under this section to be preserved for two years.

SECTION 2. Section nine of said chapter twenty-nine is hereby amended by striking out, in the first line, the word "eighteenth", and inserting in place thereof the word:—twenty-fifth,— by striking out, in the second line, the word "April", and inserting in place thereof the word:—May,— and by striking out, in the seventh line, the word "male", so as to read as follows:—*Section 9.* The board shall, on or before the twenty-fifth day of May in each year, transmit to the election commissioners certified copies of those parts of the lists prepared as provided in the preceding section, containing the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every person, twenty years of age or upwards, residing in said city, and shall promptly transmit to the election commissioners notice of every addition to and correction in the lists made by it. The board shall furnish all information in its possession necessary to aid the election commissioners in the performance of their duties.

SECTION 3. Section ten of said chapter twenty-nine is hereby amended by striking out, in the second line, the word "June", and inserting in place thereof the word:—July,— so as to read as follows:—*Section 10.* The board shall, on or before the first day of July in each year, prepare printed copies of the lists prepared for the use of the election commissioners. The board shall print such lists in pamphlet form by precincts, deliver to the election commissioners as many copies thereof as they may require, and hold the remaining copies for public distribution.

SECTION 4. Said chapter twenty-nine, as amended by chapter one hundred and forty-five of the acts of nineteen hundred and twenty, is hereby further amended by striking out section eleven and inserting in place thereof the following:—*Section 11.* If a person, twenty years of age or upward, resident in Boston on the first day of April, was not listed by the board, such person shall, in order to establish the right to be listed, in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that the applicant was on the first day of April a resident of said city, giving his or her name, age, occupation and residence on the first day of April in the current year, and his or her residence on the first day of April in the preceding year. A person, twenty years of age or upward, who becomes a resident of said city after the first day of April shall in person present a statement in writing under oath to the election commissioners or assistant registrars at their principal office, who are hereby authorized to administer oaths for this purpose, that the applicant became a resident of said city at least six months immediately preceding the election at which the applicant claims

the right to vote, giving his or her name, age, occupation and his or her residence, and the date when said applicant became a resident, and his or her residence on the first day of April in the current year. The board of election commissioners shall forthwith transmit a copy of such statement to the police commissioner who shall detail an officer to verify the statement of the applicant as to residence, and shall report to the election commissioners within five days the result of the investigation of the officer. If the statement of the applicant as to residence is found to be true, the election commissioners shall place the name of the applicant on the voting list; otherwise the election commissioners shall forthwith notify the applicant to appear before them, and, if not satisfied that the statement is true, shall not place the applicant's name upon the voting list; provided, that no application for registration under the provisions of this section shall be received by the election commissioners or assistant registrars later than the twentieth day preceding a state or municipal election.

SECTION 5. Chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended in section seventy-six by section seven of chapter ninety-one of the General Acts of nineteen hundred and fifteen and by section twelve of said chapter twenty-nine, is hereby further amended by striking out said section seventy-six and inserting in place thereof the following:—*Section 76.* The election commissioners shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Boston for the current year, beginning with such first day of April. Such names shall be arranged by wards and precincts and, opposite the name of each voter, shall be entered his or her residence on the preceding first day of April or any subsequent day when the voter became a resident of said city. The election commissioners shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to them by the listing board, giving, as the residence of each person on the first day of April, the place at which such person was listed by said board; provided, that in every case they are able to identify the name so transmitted as that of a person whose name was borne on the voting list of said city at the last preceding election. In the year nineteen hundred and twenty-one the election commissioners shall enter in the annual register every name contained in the list of women voters as registered, qualified to vote in the city of Boston at the city election December fourteenth, nineteen hundred and twenty; provided, that in each case they are able to identify the name as that of a woman voter returned by the listing board as of April first of the current year. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any commissioner, until such person has been duly notified and given an opportunity to be heard by them, and shall have appeared and satisfied them of the right to have his or her name so entered. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered

in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each voter of the preceding year whose name has not been entered in the annual register of the current year that the name of such voter has not been so entered.

SECTION 6. Section two of chapter fifty-six of the General Laws is hereby amended by inserting after the word "officer", in the first line, the words:—or interpreter,—and by striking out, in the third line, the word "male", and the words "or women voters", so as to read as follows:—*Section 2.* A member of the listing board or a police officer or interpreter in Boston, Cambridge, Chelsea or Watertown who knowingly enters on any list of persons, or causes, or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

SECTION 7. Section five of said chapter fifty-six is hereby amended by striking out, in the first line, the word "male", and by inserting after the word "his", in the second and eighth lines, in each instance, the words:—or her,—so as to read as follows:—*Section 5.* Whoever, being an inmate of a building and a resident twenty years of age or upward, refuses or neglects to give his or her true name when asked by an assessor or assistant assessor or, in Boston, Cambridge, Chelsea or Watertown, by a member of the listing board or a police officer, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building, when asked by such assessor or other officer, shall be punished by imprisonment for not more than three months.

SECTION 8. Section six of said chapter fifty-six is hereby amended by striking out, in the fourth line, the word "male", and by striking out, in the fifth line, the words "or women voters", so as to read as follows:—*Section 6.* Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax or in Boston, Cambridge, Chelsea or Watertown to a member of the listing board or a police officer, for the purpose of making a list of residents twenty years of age or upward or a report under the laws relating to listing and registration of voters in said cities and town, the name of any person as a resident of a building, who is not a resident thereof, shall be punished by imprisonment for not more than one year.

Approved March 15, 1921.

Part Repealed, 1925, ch. 39, s. 2.

1921.—CHAPTER 132.

AN ACT RELATIVE TO THE BOSTON FIREMEN'S MUTUAL RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

The Boston Firemen's Mutual Relief Association, a fraternal benefit society, is hereby authorized at the annual meetings for

the election of officers to take the vote for said officers at the respective company quarters established by the Boston fire and protective departments. The votes as cast shall be placed by the official in charge of the voting in a sealed receptacle and sent by messenger to the place of the annual meeting and deposited by this messenger in the ballot box.

Approved March 18, 1921.

See 1850, ch. 262; 1904, ch. 233.

1921.—CHAPTER 143.

AN ACT AUTHORIZING THE BOSTON TERMINAL COMPANY TO BORROW MONEY BY THE ISSUE OF DEBENTURE BONDS.

See 1896, ch. 516.

1921.—CHAPTER 146.

AN ACT TO CHANGE THE NAME OF THE OVERSEERS OF THE POOR IN THE CITY OF BOSTON TO OVERSEERS OF THE PUBLIC WELFARE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The Overseers of the Poor in the City of Boston, incorporated April twenty-fifth, seventeen hundred and seventy-two, and so named by chapter one hundred and twenty-eight of the acts of eighteen hundred and sixty-four, shall hereafter be known as The Overseers of the Public Welfare in the City of Boston, but said change of name shall in no respect affect the rights, powers or duties of said overseers.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1921.

1921.—CHAPTER 169.

AN ACT AUTHORIZING THE CITY OF BOSTON TO UTILIZE SCHOOLHOUSE PROPERTY AS WAR MEMORIAL BUILDINGS AND THE LIKE.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of Boston, the school committee and the schoolhouse commissioners of said city, acting jointly, are hereby established and created a board with power to transfer to the mayor and city council of said city, for the purpose of providing quarters for, or the erection thereon of memorial buildings to, the veterans of the Civil, Spanish or World War, the custody and control of any land or buildings owned by said city and heretofore used for school purposes, which at the time of transfer are not needed for such purposes, and as to which the school committee, by a majority vote of all its members, has voted that it is advisable to so transfer such custody and control.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, provided that such acceptance occurs prior to December thirty-first in the current year. *Approved March 25, 1921.*

Accepted, May 4, 1921.

See 1901, ch. 473; 1905, ch. 349.

1921.—CHAPTER 191.

AN ACT AUTHORIZING THE BOARD OF STREET COMMISSIONERS OF THE CITY OF BOSTON TO MAKE REGULATIONS RELATIVE TO STREET STANDS IN FANEUIL HALL MARKET.

Be it enacted, etc., as follows:

SECTION 1. Subject to the limitations hereinafter set forth, the board of street commissioners of the city of Boston may make reasonable regulations governing the occupation of street stands within the limits of Faneuil Hall Market in said city and may set the time for the opening and closing of said stands. Any person occupying a street stand or any place within the limits of said market for the sale of fresh provisions or perishable produce or having in his possession fresh provisions or perishable produce with intent to sell the same within said limits, except during the hours and in accordance with the regulations established by said board shall be punished by a fine not exceeding twenty dollars for the first offence, and not exceeding one hundred dollars for each subsequent offence, and should such person be unknown to the police officer witnessing such use or occupation, he may be arrested by the officer without a warrant. But no such regulation shall exclude from the occupation of street stands in said market, between the hours of four o'clock in the morning and five o'clock in the afternoon, except on Sundays and holidays or upon the occurrence of some extraordinary emergency, any person whose sole purpose it is to sell fresh provisions or perishable produce which are the product of his own farm or of some farm within ten miles of his residence or any person selling such provisions or produce at wholesale only for some person or persons not residing or having a usual place of business within eight miles of said market, or as agent for such person or persons, or any person selling meats at wholesale only derived from animals by him slaughtered.

SECTION 2. Chapter two hundred and eleven of the acts of eighteen hundred and fifty-nine, as amended by chapter one hundred and fifty-two of the acts of eighteen hundred and sixty, is hereby repealed, and any existing by-laws, ordinances or regulations inconsistent with the provisions of section one are hereby annulled; but this act shall not be construed to annul or prohibit reasonable rules of police which may be required for the convenience and good order of the market and for the proper conduct of those who buy or sell therein. *Approved March 30, 1921.*

See 1870, ch. 337.

1921.—CHAPTER 196.

AN ACT TO PROVIDE FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

(Relates to years 1922 to 1926, inclusive.)

See 1894, ch. 454.

1921.—CHAPTER 220.

AN ACT RELATIVE TO THE DIVISION OF CITIES INTO VOTING PRECINCTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

* * * * *

SECTION 2. Such of the provisions of section two hundred and seventeen of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as amended by chapter seventy-four of the General Acts of nineteen hundred and eighteen and by chapter six hundred and thirty-six of the acts of nineteen hundred and twenty, as apply to the city of Boston, shall continue so to apply; but all other provisions thereof are hereby repealed.

Approved April 4, 1921.

1921.—CHAPTER 283.

AN ACT INCREASING THE SALARY OF THE CHAIRMAN OF THE BOARD OF ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by striking out, in the twelfth line, the word "five", and inserting in place thereof the word:—six,—so as to read as follows:—*Section 2.* The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, three assessors to hold office for terms of one, two, and three years, respectively, beginning with the first day of April in the current year. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of three years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of six thousand dollars; the two other members of the board shall each receive an annual salary of forty-five hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 13, 1921.

Accepted, April 26, 1921.

1921.— CHAPTER 288.

AN ACT RELATIVE TO THE DATE OF THE MUNICIPAL ELECTION, AND TO NOMINATIONS FOR ELECTIVE OFFICES, IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended in section thirty-two by section one of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, is hereby further amended by striking out said section thirty-two and inserting in place thereof the following:— *Section 32.* The regular municipal election in each year in said city shall be held on the first Tuesday after the second Monday in December.

SECTION 2. Section fifty-six of said chapter four hundred and eighty-six, as amended by section six of said chapter seven hundred and thirty, is hereby further amended by striking out, in the fourteenth line, the word “fifteenth”, and inserting in place thereof the word:— thirteenth,— by striking out, in the nineteenth line, the word “thirteenth”, and inserting in place thereof the word:— eleventh,— and also by striking out, in the twenty-second line, the word “twelfth”, and inserting in place thereof the word:— tenth,— so as to read as follows:— *Section 56.* The names of candidates appearing on nomination papers shall when filed be a matter of public record; but the nomination papers shall not be open to public inspection until after certification. After such nomination papers have been filed, the election commissioners shall certify thereon the number of signatures which are the names of registered voters in the city qualified to sign the same. They shall not certify a greater number of names than are required to make a nomination, with one tenth of such number added thereto. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid. The election commissioner shall complete such certification on or before five o'clock P.M. on the thirteenth day preceding the city election. Such certification shall not preclude any voter from filing objections as to the validity of the nomination. All withdrawals and objections to such nominations shall be filed with the election commissioners on or before five o'clock P.M. on the eleventh day preceding the city election. All substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock P.M. on the tenth day preceding the city election.

SECTION 3. This act shall take effect upon its passage.

Approved April 15, 1921.

1921.— CHAPTER 289.

AN ACT RELATIVE TO THE BUILDING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section twelve of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section

one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twelve, and by section two of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, is hereby further amended by striking out, in lines ten to eighteen, inclusive, of the last paragraph, the words "Every kitchen, kitchenette or room used or adapted to be used for cooking purposes either by coal, gas or oil stoves, in every building hereafter erected, remodelled or enlarged, shall be not less than eight feet in the least dimension. Every such kitchen, kitchenette or room to be used for cooking purposes shall be lighted and ventilated by window openings in an external wall direct to the open air, and such window openings shall equal in size in the aggregate at least one eighth of the area of the floor of such room.", and inserting in place thereof the following:—Every kitchen, kitchenette or room used or adapted to be used for cooking purposes either by coal, electric, gas or oil stoves in every building hereafter erected, remodelled or enlarged, shall be not less than six feet in the least dimension and have a floor area of not less than forty-eight square feet. Every such kitchen, kitchenette or room to be used or adapted to be used for cooking purposes, shall be lighted and ventilated by window openings in an external wall direct to the open air, or if such kitchen, kitchenette or room is of not more than seventy square feet in area upon a vent shaft, as defined in section forty-two and any acts amending or affecting the same, with no opening from any toilet room into said vent shaft, and such window openings shall equal in size in the aggregate at least one eighth of the area of the floor of such room,—and also by adding at the end thereof the following:—Any alteration shall conform to requirements of this act for new buildings only to the extent of the alteration made.

SECTION 2. Section seventeen of said chapter five hundred and fifty, as amended by section four of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by chapter one hundred and eighteen of the General Acts of nineteen hundred and sixteen, and by section seven of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph:—Every building hereafter erected more than seventy-five feet in height, or hereafter increased in height to more than seventy-five feet, shall be a first class building. Every second class building hereafter erected more than four stories in height, and any second class building now in existence and increased in height to more than four stories, shall have the first floor and the basement and cellar stories of first class construction, except as hereinafter otherwise mentioned for buildings for habitation. Every building for habitation hereafter erected covering more than five thousand square feet or more than five stories in height, shall be a first class building. Every building altered or enlarged and occupied, or to be occupied as a habitation to be in excess of sixty-five feet in height, or in excess of five thousand square feet in superficial area, or in excess of five stories in height, shall be a first class building. Every building hereafter erected within the building limits to be

occupied as a permanent schoolhouse shall be a first class building. Every building hereafter erected as a theatre, and every building hereafter altered to be occupied as a theatre, shall be a first class building. Every building hereafter erected for, altered to, or converted to use as a moving picture house shall be a first class building. All other buildings may be of second or third class construction, — and also by striking out the second paragraph and inserting in place thereof the following new paragraph: — Except as is otherwise provided herein, buildings adapted for habitations, and not more than five stories in height, may be erected, remodelled or enlarged of second class construction, but no such building shall exceed five thousand square feet in superficial area, or sixty-five feet in height. Every such building exceeding thirty-five hundred square feet of superficial area, and every such building exceeding seventeen hundred and fifty square feet in superficial area, and more than four stories or fifty-five feet in height, shall have the first floor and basement and cellar stories of first class construction, with no openings through the first floor, except for piping; provided that stairways from the first story to the outside may penetrate the floor construction. Said stairs herein referred to are to be fireproof, separated from the basement or cellar by walls of solid masonry at least eight inches thick, with no opening to cellar or basement. The first story, or basement, or both the first story and basement in such building more than seventeen hundred and fifty square feet in superficial area so constructed, remodelled or enlarged, may be used for mercantile purposes; provided that the floors and walls separating the portion of the building used for mercantile purposes and the portion used for habitation be of first class construction with no openings, except for piping, but that stairways from the portion used for habitation to the outside may penetrate the mercantile portion. In such event, the stairs herein referred to are to be constructed of incombustible material and separated from the latter by solid masonry walls at least eight inches thick with no opening to the portion used for habitation. In such buildings where the second floor is of first class construction the requirement providing for the first floor, basement and cellar stories to be of first class construction may be omitted.

SECTION 3. Section thirty-five of said chapter five hundred and fifty is hereby amended by striking out the first paragraph and inserting in place thereof the following new paragraph: — Any building, except those of third class construction, within the building limits, having not more than five floors above the mean grade of all the sidewalks and covering an area of not more than seventeen hundred and fifty square feet, may be altered, remodelled or enlarged for use as a house for habitation or tenements using second class construction, — and by striking out the second paragraph and inserting in place thereof the following new paragraph: — The first story or basement or both the first story and basement in such buildings may be used for mercantile purposes; provided that the walls surrounding the mercantile portion are fire-stopped with brick, terra cotta or gypsum tile laid in cement filled in solidly to full height between the studs, and the latter covered on both sides with metal lath and cement plaster, the soffits

of stairs and the ceilings of the mercantile portion to be covered with three coat work cement plaster on metal lath, — and by striking out the fourth paragraph and inserting in place thereof the following new paragraph:— Every such building, except a single family dwelling, more than three stories in height so altered, remodelled or enlarged, shall be provided with at least two independent means of egress, at least one of which shall consist of an inside stairway, enclosed with partitions of wood studding, the spaces between the studs filled solid to full height with brick, terra cotta or gypsum blocks, laid in mortar, and both sides of partitions and soffits of stairs plastered with three coats of cement plaster on metal lath, or any enclosure of superior fire-resisting construction, satisfactory to the commissioner, all openings into said enclosure to have self-closing fireproof doors and fireproof frames. The other means of egress may be outside iron fire escape with stairs to the ground, or connecting iron balconies to an adjoining building, and each tenement above the first story shall have direct access to at least two separate means of egress, — and also by striking out the eleventh paragraph and inserting in place thereof the following new paragraph:— New buildings for habitation or tenement purposes of not more than seventeen hundred and fifty square feet area, may be built of second class construction with the same restrictions as required by the preceding paragraphs of this section referring to the alteration, remodelling and enlarging of second class buildings. The exposure required under this section shall apply to all other buildings hereafter constructed and adapted for habitation.

SECTION 4. Section thirty-eight of said chapter five hundred and fifty is hereby amended by striking out the first paragraph and inserting in place thereof the following new paragraph:— Elevators and hoists for freight which do not run above the first story may be constructed without fireproof enclosures. Freight and passenger elevators may be placed in areas or hallways where the same are continuous and unbroken, such elevators to be protected by metal grille. Except as above provided, all shafts for elevators, hoists, dumb-waiters, lifts and shafts used for lighting and ventilating or other air ducts shall be constructed of incombustible materials; provided that in second and third class buildings not over four stories high the shafts may be constructed with wood studding, the space between the studs filled solid the full height with brick, terra cotta or gypsum blocks laid in mortar and plastered on both sides with at least three coats of cement plaster on metal lath. The bottom of all shafts shall be fire protected. All windows, or ceiling lights opening into such shafts shall have metal or metal covered fireproof frames and sash glazed with wire glass and arranged to close automatically in case of fire. Such shafts shall be carried at least three feet above the adjoining roof and there covered with a skylight providing opening of total area equal to the area of the shaft and glazed with hammered or ribbed glass, protected by wire screens on metal supports.

SECTION 5. Section forty-two of said chapter five hundred and fifty is hereby amended by striking out the last sentence in clause (5.) and inserting in place thereof the following:— A vent

shaft is a shaft used solely to ventilate or light water-closet compartments, bathrooms or kitchenettes.

SECTION 6. Section forty-three of said chapter five hundred and fifty, as amended by section nine of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph:— Except as provided in section thirty-five, in all tenement houses hereafter erected of the first or second class more than three stories in height and in every building hereafter enlarged and occupied or to be occupied as a tenement house more than three stories in height, there shall be provided at least one of the following means of egress in addition to the staircases, but if the first named means of egress is provided, no means of egress other than this and one other staircase need be provided and every suite shall have direct access to both such means of egress:

SECTION 7. Section forty-five of said chapter five hundred and fifty, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, and by sections one and two of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph:— Every house for habitation, except a single family dwelling, hereafter erected more than three stories in height or covering an area of more than thirty-five hundred square feet shall have a staircase designated by the commissioner, of incombustible material extending from the entrance to the roof and with a pent house constructed of incombustible material. And the said staircase shall not extend below the entrance floor level, except as an exit to the outside and shall have no opening into basement or cellar and shall be enclosed in walls constructed of incombustible material. In addition to the above staircase, all such buildings shall have a staircase enclosed as described in section forty-seven. All door openings from all stair enclosures shall have metal or metal covered self-closing doors and metal or metal covered frames. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.

SECTION 8. Said chapter five hundred and fifty is hereby further amended by striking out section forty-six and inserting in place thereof the following:— *Section 46.* In tenement houses hereafter erected covering more than seventeen hundred and fifty square feet, but not more than thirty-five hundred square feet in superficial area which do not exceed three stories above the cellar or basement, there shall be at least two stairways. The stairs may be made of wood, provided that the soffits are covered with metal lath and plastered with three coats of cement plaster and provided that such stairs are properly fire-stopped at top center and bottom of each flight with brick, terra cotta or gypsum block nogging. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.

SECTION 9. Said chapter five hundred and fifty is hereby further amended by striking out section forty-seven and inserting in place thereof the following:—*Section 47.* In second and third class tenement houses hereafter erected and existing tenement houses hereafter altered, stair halls other than those required to be of first class construction may be enclosed with wooden stud partitions; provided that such partitions are filled in solid the full height between the studs with brick, terra cotta, gypsum blocks or other filling material approved by the commissioner, all to be laid in mortar and both sides of partition and soffit of stairs plastered with three coats of cement plaster on metal lathing. All openings in these partitions are to be protected as mentioned in section thirty-five of said chapter five hundred and fifty.

SECTION 10. Said chapter five hundred and fifty is hereby further amended by striking out section forty-nine and inserting in place thereof the following:—*Section 49.* In all tenement houses of the second or third class hereafter erected except where the floor next above is first class construction, the cellar and basement ceiling shall be lathed with metal laths and plastered three coats of cement plaster.

SECTION 11. Section fifty of said chapter five hundred and fifty is hereby amended by adding at the end thereof the following:—All such buildings having a superficial area of over thirty-five hundred square feet and all buildings more than seventeen hundred and fifty square feet in superficial area and more than four stories or fifty-five feet in height, shall have all stud partitions between suites fire proofed by filling in full height between studs with brick, terra cotta or gypsum blocks or other filling material approved by the commissioner and covering both sides of the separating partitions with metal laths and three coats of cement plaster.

SECTION 12. Section sixty of said chapter five hundred and fifty is hereby amended by inserting after the words "bath rooms", in the second line, the word:—kitchenettes,—and by adding at the end thereof the following:—Vents for kitchenettes must be entirely separate from those used for water-closets and bath rooms,—so as to read as follows:—*Section 60.* Inner courts used solely for the lighting and ventilation of water-closets, bath rooms, kitchenettes, public halls, or stair halls, or for interior fire escapes, may be constructed in any tenement house, and shall be not less than fifteen square feet in area, nor less than three feet in the least horizontal dimension for buildings fifty feet or less in height. For every increase of ten feet or fraction thereof in the height of such buildings the least dimension shall be increased by one foot, and the area by not less than eight square feet. Vents for kitchenettes must be entirely separate from those used for water-closets and bath rooms.

SECTION 13. Said chapter five hundred and fifty is hereby amended by striking out section sixty-three and inserting in place thereof the following:—*Section 63.* In every tenement house hereafter erected there shall be in each room, except water-closet compartments and bath rooms, windows of a total area of at least one eighth the floor area of the room and not less than eleven square feet in area, opening directly on a street or public alley or open

passageway not less than fifteen feet wide or upon a yard or court of the dimensions hereinbefore specified, or upon a railroad right of way, cemetery or public park; and such windows shall be located so as properly to light all parts of the room. The top of at least one window shall be not less than seven feet six inches above the floor, and the upper half of it shall be made so as to open the full width.

Every alcove in every tenement house hereafter erected shall be provided with an opening into a room, such opening to be equal in area to eighty per cent of that side of the alcove in which the opening is located; and the alcove shall have at least one window of not less than fifteen square feet of glazed surface opening as provided in this section.

SECTION 14. Said chapter five hundred and fifty is hereby further amended by striking out section sixty-four and inserting in place thereof the following:—*Section 64.* In every tenement house hereafter erected all rooms, except water-closet compartments and bath rooms, shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area and provided with a chimney flue and thimble, except where said room is furnished with heat from a central heating apparatus, and every other room shall contain at least seventy square feet of floor area. Each room shall be in every part not less than eight feet high from the finished floor to the finished ceiling; provided that only one half of an attic room need be eight feet high. No portion of a room in any such tenement house shall be partitioned off so as to form a room not conforming to the provisions of sections sixty-three and sixty-four, or so as to form an alcove not conforming to sections sixty-three and seventy.

SECTION 15. Section sixty-five of said chapter five hundred and fifty is hereby amended by inserting after the word “erected”, in the second line, the following:—covering a superficial area of more than seventeen hundred and fifty square feet,—so as to read as follows:—*Section 65.* Except as otherwise provided in section sixty-six, in every tenement house hereafter erected, covering a superficial area of more than seventeen hundred and fifty square feet, every public hall shall have at least one window opening directly upon a street, a public alley or open passageway not less than ten feet in width, a railroad right of way, a cemetery or a public park, or upon a yard or court or a vent court as provided in section sixty. Either such window shall be at the end of said hall, with the plane of the window substantially at right angles to the axis of the hall, or there shall be at least one window opening as above prescribed in every twenty feet in length or fraction thereof of the hall; but this provision for one window in every twenty feet of hall-way shall not apply to that part of the entrance hall between the entrance and the first flight of stairs, provided that the entrance door contains not less than five square feet of glazed surface. At least one of the windows provided to light each public hall shall be at least two feet six inches wide and five feet high, measured between the stop beads.

Any part of a hall which is shut off from any other part of

said hall by a door or doors shall be deemed a separate hall within the meaning of this section.

SECTION 16. Section sixty-six of said chapter five hundred and fifty is hereby amended by inserting after the word "erected", in the first line, the following:—covering a superficial area of more than seventeen hundred and fifty square feet,—so as to read as follows:—*Section 66.* In every tenement house hereafter erected covering a superficial area of more than seventeen hundred and fifty square feet, the aggregate area of windows to light or ventilate stair halls on each floor shall be at least fifteen square feet: *provided, however,* that when there shall be, within the space enclosed by the stairway and its landings, from the second story upward, an open area for light and ventilation whose least horizontal dimension shall be equal to the width of the stairs, but in no case less than three feet, then the windows required in sections sixty-five and sixty-six may be omitted.

There shall be in the roof, directly over each stair well, in all tenement houses hereafter erected, without windows as above provided, a ventilating skylight provided with ridge ventilators, having a minimum opening of forty square inches, or else such skylight shall be provided with fixed or movable louvres. The glazed roof of the skylight shall not be less than twenty square feet in area.

Approved April 15, 1921.

1921.—CHAPTER 340.

AN ACT RELATIVE TO THE TIME FOR THE ISSUANCE OF NOMINATION PAPERS FOR ELECTIVE OFFICES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section fifty-four of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section five of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, is hereby further amended by striking out, in the twelfth line, the words "day next following the state election", and inserting in place thereof the words:—Wednesday after the first Monday in November,—so as to read as follows:—*Section 54.* If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto and no more. Nomination papers in each year shall be issued by the board of election commissioners on and after but not before the Wednesday after the first Monday in November. Such papers shall be issued only to candidates who shall file with the election commissioners requests therefor in writing, containing their names with the first or middle name in full, the offices for which they are candidates, and their residences, with street and number, if any. Forthwith the election commissioners shall print or insert on such nomination papers

the names of the candidates, the offices for which they are nominated and their residences, with street and number, if any. Not more than three hundred such nomination papers shall be issued to any candidate for mayor, and not more than two hundred such nomination papers shall be issued to any candidate for the city council or for the school committee. No nomination papers except those issued in accordance with the provisions of this section shall be received or be valid.

Approved April 30, 1921.

1921.—CHAPTER 345.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION OF A DRAW ON THE BRIDGE OVER THE SOUTH CHANNEL OF MYSTIC RIVER BETWEEN SAID CITY AND CHELSEA.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, for the purpose of constructing a permanent draw on the Chelsea south bridge over the south channel of the Mystic river, in substitution for the temporary draw on said bridge now in use, may incur indebtedness to an amount not exceeding eight hundred thousand dollars, of which sum two hundred thousand dollars shall be in excess of the statutory limit, and may issue bonds or notes therefor. Such bonds or notes shall be denominated on the face thereof, Chelsea South Bridge loan, Act of 1921. The amount incurred outside the debt limit shall be for such terms not exceeding five years from the dates of issue as the mayor and treasurer of the city shall determine, and the amount incurred inside the debt limit shall be for such terms not exceeding twenty years as the mayor and treasurer of the city shall determine. Said bonds or notes shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity and so that the first of the said annual payments on account of any loan shall be made not later than one year after the date of the bonds or notes issued therefor, and so that the amount of the said payments in any year on account of such loan shall not be less than the amount of principal of the loan payable in any subsequent year. The said annual amounts, together with the interest on the loan, shall, without further action, be assessed until the debt is extinguished. Each issue of bonds or notes shall constitute a separate loan, and may be sold at public or private sale.

SECTION 2. Nothing in this act shall affect any obligation imposed upon the cities of Chelsea and Revere and the Eastern Massachusetts Street Railway Company by chapter five hundred and eighty-one of the acts of nineteen hundred and eleven and chapter three hundred and forty-one of the acts of nineteen hundred and thirteen, or by any order or decree of the court made in pursuance thereof.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1921.

See 1911, ch. 581.

1921.—CHAPTER 390.

AN ACT DEFINING THE MEANING OF THE TERM "MEMBERS OF THE BOSTON FIRE DEPARTMENT" AND THE TERM "MEMBERS OF THE BOSTON PROTECTIVE DEPARTMENT" WITH RESPECT TO ADMINISTRATION OF THE BOSTON FIREMEN'S RELIEF FUND.

Be it enacted, etc., as follows:

The term "members of the Boston fire department", as used in chapter three hundred and eight of the acts of nineteen hundred and nine, as amended by chapter one hundred and thirty-four of the acts of nineteen hundred and eleven, and by chapter one hundred and sixty-eight of the acts of nineteen hundred and thirteen, shall be construed to mean and include only those members of the Boston fire department who are enrolled, classified and included within the fire-fighting force of said fire department, and men on probation therein, the chief of said fire department, deputy chiefs, district chiefs, captains, lieutenants, engineers, assistant engineers, hosemen and ladder-men; and all other members of the Boston fire department who are, at the time when this act takes effect, actually enrolled and employed as such in the several other branches of said Boston fire department, as said branches are then defined and established. The term "members of the Boston protective department", as used in said chapter, amended as aforesaid, shall be construed to mean and include only those members of the Boston protective department, known and designated as superintendent, deputy superintendent, captains, lieutenants, permanent and auxiliary privates of the Boston protective department; provided, however, that nothing in this section contained shall be so construed as to abrogate, affect or impair any equitable or legal rights, which have vested in or accrued to any member of the Boston fire department, or of the Boston protective department, previous to the date when this act takes effect or to limit or impair any trust in existence at that time.

Approved May 11, 1921.

1921.—CHAPTER 407.

AN ACT RELATIVE TO THE CONSTRUCTION OF STUART STREET AND THE WIDENING OF ELIOT STREET IN THE CITY OF BOSTON.

1921.—CHAPTER 476.

AN ACT RELATIVE TO THE INSTALLATION OF AUTOMATIC SPRINKLERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section forty-five of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, and by section one of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following paragraphs:—In all tenement houses of second and third class

construction, hereafter erected, being more than three stories high and containing more than ten suites, the basements or cellars, kitchenettes, stairway enclosures and elevator, light, ventilating and dumb-waiter shafts shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may require the basement or cellar of a tenement house of first class construction, more than three stories high and containing more than ten suites, where in his opinion a fire hazard exists, to be equipped with a system of automatic sprinklers approved by him as to situation, arrangement and efficiency.

Basements or cellars in existing tenement houses of second and third class construction, being more than three stories high and containing more than ten suites, shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may in his discretion also require that all doors leading from rear stairway enclosures on each floor of such tenement houses shall be suitably protected by fire proofing material.

In existing tenement houses of first, second and third class construction more than three stories high and containing more than ten suites, where the first floor is of first class construction and in any such tenement house in which any stairway, enclosure, elevator, light, ventilating or dumb-waiter shaft is fireproof, as defined in section thirty-three, as amended by section fourteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, the commissioner may waive the provisions of this section in respect to automatic sprinklers, except in cases, where, in his opinion, a fire hazard exists.

Approved May 27, 1921.

249 Mass. 205, 208, 209; 1935 Adv. Sh. 2199, 2204.

1921.— CHAPTER 497.

AN ACT PROVIDING FOR THE CONSTRUCTION OF CERTAIN BRIDGES OVER THE CHARLES RIVER BETWEEN THE CITY OF BOSTON AND THE TOWN OF WATERTOWN AND BETWEEN THE CITY OF BOSTON AND THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, in sections one to five, inclusive, called the commission, is hereby authorized and directed to remove the following existing bridges and to construct new bridges with suitable approaches at or near their respective sites: —

- (1) That between the city of Boston and the town of Watertown, known as the Western avenue and Arsenal street bridge;
- (2) That between the city of Boston and the city of Cambridge, known as the Western avenue bridge;
- (3) That between the city of Boston and the city of Cambridge, known as the River street-Brighton street bridge;
- (4) That between the city of Boston and the city of Cambridge, known as the Brookline street-Essex street-Cottage Farm bridge.

The said new bridges shall be constructed without draws, provided the consent of the United States is obtained, and shall be at least twelve feet above the ordinary level of the water in the basin over the main channel. The commission shall construct any necessary approaches to said bridges on each end thereof; may construct temporary highway bridges to be used by vehicles, pedestrians and street cars, and may grant locations for street railway tracks, poles and wires thereon or may repair and strengthen the existing bridges so that they may be used temporarily for such purpose during the construction of the new bridges; shall cause any necessary dredging to be done; and may take by eminent domain under chapter seventy-nine of the Genral Laws, or acquire by purchase or otherwise, such lands or rights for the approaches to said bridges as it may deem necessary for carrying out the provisions of this act, and shall cause all lands so acquired to be properly filled and graded. The plans of said bridge between Boston and Watertown shall be subject to approval by the secretary of war of the United States, the mayor of the city of Boston, the selectmen of the town of Watertown and the commission. The plans of said bridges between the city of Cambridge and the city of Boston shall be approved by the secretary of war of the United States, the mayor of the city of Boston, the mayor of the city of Cambridge and the commission. Said bridges shall be constructed and maintained for the joint use of the highways of said cities and town and the metropolitan reservations, roads and boulevards along and near said river in said cities and town; and the bridges shall be maintained for any purposes for which said highways or park roads or reservations may be used. The position of the tracks, poles and wires of the street railway company which are to be constructed on said bridges shall, prior to the completion of the construction of the bridges, be determined and locations therefor granted by the commission.

SECTION 2. No compensation shall be required for displacement of tidewater, but for any land owned by the commonwealth, which it is necessary to use for any of said bridges or their approaches there shall be allowed to the metropolitan parks district reasonable compensation for land so used, and shall be taken into consideration by the commission appointed to determine and apportion the cost.

SECTION 3. The approaches to said bridge between Boston and Watertown shall be laid out by the commission as a highway at a width not less than may be determined by the selectmen of the town of Watertown and the mayor of the city of Boston and the commission. The approaches to said bridges between the city of Cambridge and the city of Boston shall be laid out by the commission as a highway and not less than the width as determined by the mayor of Cambridge, the mayor of Boston and the commission. In laying out and constructing approaches to any bridge provided for by this act, the commission may assess betterments upon real estate benefited by said approaches, to which the provisions of chapter eighty of the General Laws shall apply.

SECTION 4. The cost of laying out and constructing said approaches, including any damages awarded or paid on account of any taking of land or property therefor or for damage to any

property and any sums paid for land or rights purchased, the cost of construction of the abutments and other parts of said bridges, the cost of changing the channel of said river, the cost of temporary highway bridges or the cost of repairing and strengthening the existing bridges for temporary use, and the salaries and wages of all employees of the commission, including the interest on all money borrowed by the state treasurer on the credit of the commonwealth as provided in this section and all other expenses incurred in carrying out the provisions of this act, shall be deemed to be the cost of construction of said bridges and shall in the first instance be paid by the commonwealth; provided, that the said cost of the bridge between Watertown and Boston shall not exceed one hundred and seventy-five thousand dollars, that the said cost of the bridge between Cambridge and Boston, known as the Western avenue bridge, shall not exceed two hundred and seventy-five thousand dollars, that the said cost of the said bridge between Cambridge and Boston, known as the River street-Brighton street bridge, shall not exceed two hundred and seventy-five thousand dollars, and that the said cost of the said bridge between Boston and Cambridge, known as the Essex street-Brookline street-Cottage Farm bridge, shall not exceed seven hundred and fifty thousand dollars, and the state treasurer may borrow on the credit of the commonwealth such sum or sums of money as may from time to time be required for the said costs of the four bridges as aforesaid, as certified to him by said commission, and may issue notes of the commonwealth therefor, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council. Said notes shall be for the term of ten years, as recommended by the governor, in accordance with the provisions of the constitution, in a message to the general court dated May twenty-seventh, nineteen hundred and twenty-one, and the state treasurer shall make payments from time to time on account of work done under this act, on the order of the commission.

SECTION 5. When said bridge and its approaches between Watertown and Boston are completed and the full cost thereof ascertained, the following parties shall each be assessed and contribute the following percentages of the total amount paid by the commonwealth therefor, including interest, to wit:—the city of Boston thirty-five per cent, the town of Watertown thirty-five per cent, the county of Middlesex seven and five tenths per cent, the Boston Elevated Railway Company or the West End Street Railway Company, to whichever a double track location on said bridge and approaches shall be granted by the commission, provided that it agrees to pay the percentage of the cost hereinbefore specified, seven and five tenths per cent, and the metropolitan parks district, fifteen per cent. When the said Essex street-Brookline street-Cottage Farm bridge, and its approaches in Boston and Cambridge is completed, the supreme judicial court shall appoint three commissioners who shall, after due notice and hearing and in such manner as they shall deem just and equitable, determine the cost of the said bridge and what political sub-divisions, corporations or other parties receive special benefits from said bridge, and shall thereupon assess the cost to the said political sub-divisions, corpora-

tions and other parties in the proportions in which they are specially benefited, and shall return their award into said court, and when the said award shall have been accepted by said court, the same shall be final and conclusive adjudication of all matters herein specified and shall be binding upon all parties. When the said Western avenue and River street bridges and their approaches between Boston and Cambridge are completed and the full cost thereof ascertained, the following parties shall each be assessed and contribute the following percentages of the total amount paid by the commonwealth for each bridge, including interest, to wit:—the city of Boston thirty-five per cent, the city of Cambridge thirty-five per cent, the Boston Elevated Railway Company or the West End Street Railway Company, to whichever a double track location on either or both of said bridges and approaches shall be granted by the commission, provided that it agrees to pay the percentage of the cost hereinbefore specified of each bridge as to which it applies for a location, seven and five tenths per cent, the county of Middlesex seven and five tenths per cent, and the metropolitan parks district fifteen per cent. The amount due from each of said parties, upon certification of the same by the state treasurer, shall be paid into the treasury of the commonwealth at such times as the said treasurer shall designate.

SECTION 6. To meet the payments required to be made by the county of Middlesex under the provisions of this act, the county commissioners of said county may borrow from time to time on the credit of the county such sum as may be necessary to meet the contributions required of said county under the provisions of this act, and may issue the bonds or notes of the county therefor, payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan, and each bond or note shall bear on its face the words:—County of Middlesex, Charles River Bridges Loan, Act of 1921.

SECTION 7. To meet the payments required to be made by the county of Norfolk under the provisions of this act, the county commissioners of said county may borrow from time to time on the credit of the county such sum as may be necessary to meet the contributions required of said county under the provisions of this act, and may issue the bonds or notes of the county therefor, payable by such annual payments, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan, and each bond or note shall bear on its face the words:—County of Norfolk, Charles River Bridges Loan, Act of 1921.

SECTION 8. The city of Boston may issue from time to time bonds or notes of said city to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the city on account of the construction of said bridges

and their approaches. Said bonds or notes shall bear on their face the words:—City of Boston, Charles River Bridges Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter four hundred and eighty-six of the acts of nineteen hundred and nine, and acts in amendment thereof and in addition thereto.

SECTION 9. The city of Cambridge may issue from time to time bonds or notes of said city to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the city on account of the construction of said bridges and their approaches between the cities of Boston and Cambridge. Said bonds or notes shall bear on their face the words:—City of Cambridge, Charles River Bridges Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 10. The town of Watertown may issue from time to time bonds or notes of said town to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the town on account of the construction of said bridge and its approaches between Watertown and Boston. Said bonds or notes shall bear on their face the words:—Town of Watertown, Western Avenue and Arsenal Street Bridge Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 11. The town of Brookline may issue from time to time bonds or notes of said town to such an amount, not exceeding such sum as may be necessary to meet the payments required to be made by the town on account of the construction of said bridge and its approaches between Cambridge and Boston. Said bonds or notes shall bear on their face the words:—Town of Brookline, Essex Street-Brookline Street-Cottage Farm Bridge Loan, Act of 1921, shall be payable within twenty years from their respective dates, and shall be issued in excess of the statutory limit of indebtedness, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 12. Any person entitled by law to damages for the taking of or injury to his property under the authority of this act may have the same determined and paid as provided in chapter seventy-nine of the General Laws.

SECTION 13. When the said bridge and its approaches between Watertown and Boston are completed, and all work contemplated by this act in relation to said bridge has been performed, the care and control of said bridge and approaches shall vest in a commission consisting of one commissioner appointed by the mayor of the city of Boston, and the chairman of the board of selectmen of Watertown for the time being. Said commission shall have charge of managing, maintainng and keeping in repair said bridge and approaches, except that the part of the wearing surface of said bridge occupied by the street railway company granted a location

thereon, within its tracks and eighteen inches on each side thereof, shall be kept in repair by the said street railway company; and after the completion of said bridge and approaches, said commission shall also have the exclusive authority to authorize poles, wires, street railway tracks and other structures to be placed thereon, and in such place and manner as said commission may deem proper.

SECTION 14. When the said bridge or bridges and approaches, or any of them, between Cambridge and Boston are completed, and all work contemplated by this act has been performed on any or all of said bridges, the care, control and management of said bridge or bridges and their approaches, or any of them, shall vest in a board of two commissioners, one appointed by the mayor of the city of Boston and one by the mayor of the city of Cambridge. Said commission shall have control of and the charge of managing, maintaining and keeping in repair said bridges and approaches, except that the part of the wearing surface of said bridges occupied by the street railway company granted a location thereon, within its tracks and eighteen inches on either side thereof, shall be kept in repair by the said street railway company; and after the completion of said bridges and approaches, said commission shall also have the exclusive authority to authorize poles, wires, street railway tracks and other structures to be placed thereon, and in such place and manner as said commission may deem proper.

SECTION 15. The street railway company or companies having a location on any of said bridges shall at its or their own expense maintain and keep in repair that part of the wearing surface of said bridges and their approaches occupied by said company or companies within its or their tracks and eighteen inches on either side thereof; and said company or companies shall be liable for all damages recovered in any action at law by reason of any defect or want of repair in that part of said bridges and their approaches which it or they are required to maintain and keep in repair. The city of Boston shall, at its own expense, maintain and keep in repair those parts of any of said bridges and their approaches lying in said city, exclusive of those parts which the street railway company is required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts. The city of Cambridge shall, at its own expense, maintain and keep in repair that part or parts of any of said bridges and their approaches lying in said city, exclusive of that part which the street railway company or companies are required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts. The town of Watertown shall, at its own expense, maintain and keep in repair that part or parts of said bridge and its approaches lying in said town, exclusive of that part which the street railway company or companies are required to maintain and keep in repair, and shall pay all damages recovered in any action at law by reason of any defect or want of repair in said part or parts.

Approved May 27, 1921.

Section 4, Part Repealed 1921, ch. 501, s. 2; Affected 1926, ch. 327, s. 3.
Section 5, Amended 1926, ch. 327, s. 1.

Section 16, Added 1924, ch. 416.

Section 17, Added 1926, ch. 327, s. 2.

See 1921, ch. 501; Extended 1927, ch. 320, s. 1.

1921.—CHAPTER 501.

AN ACT RELATING TO THE TERM OF THE NOTES TO BE ISSUED BY THE COMMONWEALTH FOR THE CONSTRUCTION OF CERTAIN BRIDGES OVER THE CHARLES RIVER.

Be it enacted, etc., as follows:

SECTION 1. The term of the notes which the state treasurer is authorized to issue under the provisions of section four of chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one, providing for the construction of certain bridges over the Charles river between the city of Boston and the town of Watertown and between the city of Boston and the city of Cambridge, shall not exceed five years, as recommended by the governor in a message to the general court dated May twenty-seventh, nineteen hundred and twenty-one, in pursuance of section three of article LXII of the amendments to the constitution. The state treasurer is hereby further authorized to issue, with the approval of the governor and council, and in conformity with said recommendation of the governor, temporary notes as may from time to time be required to meet expenditures under said chapter four hundred and ninety-seven, and, with like approval, to renew the same for periods not exceeding five years from the date of the first note issued under authority of said chapter.

SECTION 2. So much of section four of chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one as is inconsistent herewith is hereby repealed.

Approved May 28, 1921.

1922.—CHAPTER 6.

AN ACT PROVIDING FOR THE APPOINTMENT AND REMOVAL OF DEPUTY ASSESSORS IN THE CITY OF BOSTON IN ACCORDANCE WITH THE LAWS AND RULES GOVERNING THE CLASSIFIED CIVIL SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as amended by chapter ninety-two of the acts of nineteen hundred and twenty, is hereby further amended by striking out section three and inserting in place thereof the following:—*Section 3.* The mayor shall also appoint for an indeterminate term, under the laws and rules governing the classified civil service of the commonwealth, five deputy assessors and such appointees shall hold office in accordance with such laws and rules. Appointments to fill vacancies shall be made in like manner. Each deputy assessor shall receive an annual salary of four thousand dollars and shall perform such duties as the board of assessors may prescribe.

SECTION 2. Notwithstanding the passage of this act, every person holding the position of deputy assessor in the city of Boston at the time of its passage shall continue to hold office without taking any civil service examination and shall thereafter hold office in accordance with and subject to the laws and rules governing the classified civil service of the commonwealth.

SECTION 3. This act shall take effect upon its passage.

Approved January 30, 1922.

1922.—CHAPTER 35.

AN ACT RELATIVE TO LAMPLIGHTERS LIGHTING THE LAMPS IN THE STREETS, ALLEYS, PUBLIC GROUNDS AND PARKS IN THE CITY OF BOSTON.

Not accepted.

1922.—CHAPTER 61.

AN ACT RELATIVE TO SANITARY ARRANGEMENTS IN TENEMENT HOUSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section sixty-nine of chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out all after the word "apartment" in the third line, down to and including the word "rooms" in the sixth line, and by striking out, in the ninth line, the word "four" and inserting in place thereof the word:—nine,—so as to read as follows:—*Section 69.* In every tenement house hereafter erected there shall be a separate water-closet in a separate compartment within each apartment. Every such water-closet shall be placed in a compartment completely separated from every other water-closet, and such compartment shall be not less than two feet and nine inches wide, and shall be enclosed with plastered partitions, or some equally substantial material, which shall extend to the ceiling. Such compartment shall have a window, opening directly, or through a straight horizontal shaft of the same dimensions as the window and not more than four feet long, upon a street, a railroad right of way, cemetery or public park or a yard or alley or open passageway not less than four feet wide, or upon a vent court or upon a covered passageway not more than twenty feet long and at least twenty feet wide, and twenty feet high. Every such window shall be at least one foot by three feet between stop beads; and the whole window shall be made so as to open readily. When, however, such water-closet compartment is located on the top floor and is lighted and ventilated by a skylight over it, no window shall be necessary, provided that the roof of such skylight contains at least three square feet of glazed surface and is arranged so as to open readily. Nothing in this section in regard to the separation of water-closet compartments from each other shall apply to a general toilet room containing several water-closets, hereafter placed in a tenement house, provided that such water-closets are supplemental to the water-closet accommodations required by law for the use of the tenants of the said house.

Nothing in this section in regard to the ventilation of water-closet compartments shall apply to a water-closet hereafter placed in an existing tenement house, to replace a defective fixture in the same position and location. No water-closet shall be maintained in the cellar of any tenement house without a permit in writing from the board of health; and said board shall have power to make rules and regulations governing the maintenance of such closets. Every water-closet compartment in any tenement house shall be provided with proper means for lighting the same at night. If fixtures for gas or electricity are not provided in such compartment, then the door of such compartment shall be provided with translucent glass panels, or with a translucent glass transom, not less in area than four square feet. The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, stone or some other waterproof material; and such waterproofing shall extend at least six inches above the floor on all sides of the compartment except at the door opening, so that the floor can be washed or flushed without leaking. No drip trays shall be permitted. No water-closet fixtures shall be inclosed with any woodwork.

Approved February 16, 1922.

1922.—CHAPTER 126.

AN ACT AUTHORIZING THE CONVERSION OF CERTAIN SINGLE AND TWO-FAMILY DWELLING HOUSES IN THE CITY OF BOSTON INTO DWELLING HOUSES OF THE THREE-FAMILY TYPE.

Be it enacted, etc., as follows:

Section nine of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section one of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen and by section two of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by adding at the end thereof the following:—For a period of three years after April first, nineteen hundred and twenty-two, any single or two-family dwelling of third-class construction situated in any part of said city not included within the building limits of said city, as they existed prior to said twenty-second day of September, may be converted by such changes, alterations or additions as may be necessary, into dwellings for the occupation of not more than three families; provided, that such changes, alterations or additions are otherwise in conformity with the building laws of said city at the time thereof,—so as to read as follows:—*Section 9.* The building limits of the city of Boston as they now exist shall continue until changed by ordinance, and the city council may by ordinance from time to time extend and define them, and may establish other limits in any part of the city within which every building built after the establishment thereof shall be of the first or second class. This restriction shall not apply to wharves, nor to buildings not exceeding twenty-seven feet in height on wharves, nor to market sheds or market buildings not exceeding the said height, nor to elevators for the storage of coal or grain, if the external

parts of such buildings, elevators or other structures are covered with slate, tile, metal, or other equally fireproof material, and the mode of construction and the location thereof are approved by the commissioner. Temporary structures to facilitate the prosecution of any authorized work may be erected under such conditions as the commissioner may prescribe. Single and two-family dwellings not to be occupied and not intended, arranged, or designed to be occupied, by more than two families, may be built of third-class construction or of composite construction in all parts of the city of Boston not included in the building limits of the city as they existed prior to the twenty-second day of September in the year nineteen hundred and thirteen; but no such building shall occupy more than sixty per cent of the area of the lot upon which it is situated, and all such buildings shall be constructed with pitched roofs not less than thirty degrees with the horizontal.

Buildings of the third class in the city of Boston may be reconstructed, altered, enlarged, repaired and extended so as to cover a greater area of land: *provided*, that the reconstruction, alteration, enlargement, or extension conforms to the requirements of the law in respect to new buildings of like character; and, *provided, also*, that not more than sixty per cent of the lot is covered.

For a period of three years after April first, nineteen hundred and twenty-two, any single or two-family dwelling of third-class construction situated in any part of said city not included within the building limits of said city, as they existed prior to said twenty-second day of September, may be converted by such changes, alterations or additions as may be necessary, into dwellings for the occupation of not more than three families; provided, that such changes, alterations or additions are otherwise in conformity with the building laws of said city at the time thereof.

Approved March 7, 1922.

1922.—CHAPTER 133.

AN ACT RELATIVE TO THE PUBLISHING OF LISTS OF OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON AND COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-seven of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section one of chapter one hundred and sixty-eight of the Special Acts of nineteen hundred and nineteen, is hereby further amended by inserting after the words "pay rolls" in the twelfth line the words:— and to keep a copy of said lists open for public inspection,— and also by adding at the end thereof the words:— in the year nineteen hundred and twenty-three and every two years thereafter,— so as to read as follows:— *Section 27.* Every officer and board in charge of a department of the city of Boston or county of Suffolk shall on or before the sixth day of June in each year prepare and furnish to the city auditor a list of the officials and employees under said officer or board and paid by the city or county on the first day of June preceding. Such lists shall give the names, residence

by street and ward, designation, compensation, and date of election or appointment of each of said officials and employees and the date when each first entered the employ of the city or county. It shall be the duty of the city auditor to verify said lists by the pay rolls and to keep a copy of said lists open for public inspection; and when verified the said lists shall be printed by the superintendent of printing as a city document in the year nineteen hundred and twenty-three and every two years thereafter.

SECTION 2. This act shall take effect upon its passage.

Approved March 10, 1922.

1922.—CHAPTER 134.

AN ACT RELATIVE TO THE PENSIONS PAYABLE TO RETIRED EMPLOYEES OF THE BOSTON PROTECTIVE DEPARTMENT.

Be it enacted, etc., as follows:

Section one of chapter two hundred and thirty-three of the acts of nineteen hundred and four is hereby amended by striking out all after the word "than" in the tenth line and inserting in place thereof the following:—twenty-five consecutive years and who is fifty-five years of age or over. In case of permanent incapacity from injuries received in the actual performance of duty, the annual pension shall be an amount not exceeding two thirds of the compensation which the injured employee was receiving at the time of his retirement, except that a member of the auxiliary force shall receive an amount not exceeding two thirds of the compensation payable in the regular fifth grade. The compensation of employees who are retired after having served twenty-five or more years, as aforesaid, and after reaching the age of fifty-five years, shall be an amount not exceeding one half of their compensation at the time of retirement, — so as to read as follows: — *Section 1.* The board of directors of the Boston Protective Department, by a majority vote, shall have authority to retire and place upon a pension roll any employee of the department who is certified in writing by the medical officer of the department to be permanently incapacitated, either mentally or physically, from performing his duties as such employee by reason of injuries received in the actual performance of duty; or any employee who has performed faithful service in the department for not less than twenty-five consecutive years and who is fifty-five years of age or over. In case of permanent incapacity from injuries received in the actual performance of duty, the annual pension shall be an amount not exceeding two thirds of the compensation which the injured employee was receiving at the time of his retirement, except that a member of the auxiliary force shall receive an amount not exceeding two thirds of the compensation payable in regular fifth grade. The compensation of employees who are retired after having served twenty-five or more years, as aforesaid, and after reaching the age of fifty-five years, shall be an amount not exceeding one half of their compensation at the time of retirement.

Approved March 10, 1922.

1922.—CHAPTER 174.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section four of chapter three hundred and eighty-three of the acts of nineteen hundred and five, as amended by chapter one hundred and fifty-six of the Special Acts of nineteen hundred and nineteen, is hereby further amended by inserting after the word "buildings" in the first line the words: —, or of the roofs thereof, — and by inserting after the word "cupola" in the third line the words: —, arched or vaulted roofs, — and by striking out, in the seventh and eighth lines, the words "not exceeding twelve feet square and twelve feet high" and inserting in place thereof the words: —, ornamental glass coverings or structures for roof garden restaurants or gymnasia, — and by striking out the second paragraph of said section and inserting in place thereof the following paragraph:— Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be of such dimensions as approved by the building commissioner. The area so enclosed for elevator shafts shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevators, — so as to read as follows:— *Section 4.* No limitations of the height of buildings, or of the roofs thereof, in the city of Boston shall apply to churches, steeples, towers, domes, cupolas, arched or vaulted roofs, belfries or statuary not used for purposes of habitation, nor to chimneys, gas holders, coal or grain elevators, open balustrades, skylights, ventilators, flag-staffs, railings, weather vanes, soil pipes, steam exhausts, signs, roof houses, ornamental glass coverings or structures for roof garden restaurants or gymnasia, nor to other similar constructions such as are usually erected above the roof line of buildings.

Roof houses, pent houses, bulkheads and skylights above the roof line used to enclose elevator machinery or shafts may be of such dimensions as approved by the building commissioner. The area so enclosed for elevator shafts shall not be used for any purpose except the storage of tools and appliances used for the maintenance of the elevators.

Roof houses, pent houses and bulkheads in first class buildings may be constructed of angle iron and four-inch blocks, plastered on the inside and outside, or covered inside and outside with metal covering or angle iron, and two-inch solid metal lath and plaster walls may be used, the door to be of metal frame covered with metal. For second and third class buildings, roof houses, pent houses and bulkheads may be of wood frame covered with metal on the outside and plastered on metal lathing on the inside: *provided* that the door is covered with metal on both sides.

Approved March 18, 1922.

1922.—CHAPTER 205.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Appropriation limit for municipal purposes for year ending January 31, 1923, \$12.25.)

1922. — CHAPTER 273.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO GRANT DEGREES OF BACHELOR OF EDUCATION AND BACHELOR OF SCIENCE IN EDUCATION TO GRADUATES OF THE BOSTON NORMAL SCHOOL.

Be it enacted, etc., as follows:

The school committee of the city of Boston may grant the degree of Bachelor of Education or of Bachelor of Science in Education to graduates of the Boston normal school who have satisfactorily completed a four years' course of instruction in said normal school as prescribed by the board of superintendents.

Approved April 11, 1922.

See 1874, ch. 167; 1905, ch. 349; 1924, ch. 142; 1926, ch. 16.

1922.—CHAPTER 286.

AN ACT RELATIVE TO THE USE BY THE CITY OF BOSTON OF THE PROCEEDS OF TAXES AND OTHER REVENUE RECEIVABLE PRIOR TO FEBRUARY FIRST IN THE CURRENT YEAR.

1922. — CHAPTER 316.

AN ACT RELATIVE TO GARAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter five hundred and seventy-seven of the acts of nineteen hundred and thirteen, as amended by section two of chapter one hundred and nineteen of the acts of nineteen hundred and fourteen, is hereby further amended by adding at the end thereof the following:—; provided, that no application shall be granted and no permit issued for the erection, maintenance or use of any structure or building as a garage for more than four cars on the same street as, and within five hundred feet of, any building occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church,—so as to read as follows:— *Section 3.* At the time and place specified in the notice for the hearing the said board shall hear all parties interested, and after giving consideration to the interests of all owners of record notified, and the general character of the neighborhood in which is situated the land or building referred to in the application, shall determine whether or not the application shall be granted and a permit issued; provided, that no application shall be granted and no permit issued for the erection, maintenance or use of any structure or building as a garage for more than four cars on the same street as, and within five hundred feet of, any building occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church.

SECTION 2. The provisions of this act shall not apply to a building maintained as a garage for the storage, keeping or care of automobiles at the time of the passage of this act, but any enlargement or alteration of, or addition to, any such building shall be subject to the provisions of this act.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 18, 1922.

Accepted, May 17, 1922.

1922. — CHAPTER 380.

AN ACT MAKING FURTHER PROVISION FOR THE CONSTRUCTION AND COMPLETION BY THE METROPOLITAN DISTRICT COMMISSION OF NEPONSET BRIDGE OVER THE NEPONSET RIVER BETWEEN THE CITIES OF BOSTON AND QUINCY.

Whereas, It is for the public interest that the construction of the Neponset bridge be commenced without delay, in order that suitable provision may be made for public travel and that work may be provided for the unemployed, therefor this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. In order to complete the Neponset bridge authorized by chapter three hundred of the General Acts of nineteen hundred and fifteen, as amended by chapter two hundred and twenty of the General Acts of nineteen hundred and seventeen, and by chapter two hundred and thirty-eight of the General Acts of nineteen hundred and nineteen, and to provide for a masonry arch structure, with granite and concrete piers, concrete superstructure and steel draw, in accordance with plans prepared by the metropolitan district commission and to be approved by the mayors of Boston and Quincy, the said commission may expend in addition to the amounts heretofore authorized the further sum of two hundred and eighty thousand dollars.

SECTION 2. The additional expenditure hereby authorized, and also the expenditure authorized by said chapter two hundred and thirty-eight, including interest on the money borrowed, shall be assessable and payable in the proportions and manner provided by sections two and four of said chapter two hundred and thirty-eight.

SECTION 3. Before entering into further obligations for the construction of said bridge and approaches, bids and estimates shall be obtained, and the work shall not proceed unless the commission finds that said bridge and approaches can be completed for not exceeding the amount of the unexpended balance of the heretofore authorized expenditure, including the additional amount authorized by this act, and unless the revised plans shall have been approved by the mayors of Boston and Quincy.

SECTION 4. To meet said additional expenditures, the state treasurer may, with the approval of the governor and council, issue bonds to an amount not exceeding two hundred and eighty thousand dollars, in addition to the amounts already authorized by chapter two hundred and eighty-eight of the acts of eighteen hundred and ninety-four and acts of amendment thereof or in addition thereto, as part of the Metropolitan Parks Loan, Series

Two. Such bonds shall be issued as coupon or registered bonds, for such term of years, as shall be recommended by the governor, in accordance with the provisions of section three of article LXII of the amendments to the constitution, and shall bear interest, payable semi-annually on the first days of January and July, at such rate as shall be fixed by the state treasurer with the approval of the governor and council.

Approved May 3, 1922.

1922.—CHAPTER 390.

AN ACT RELATIVE TO THE ASSESSMENT OF TAXES ON LANDS AND BUILDINGS OF THE CITY OF BOSTON LEASED FOR BUSINESS PURPOSES AND THE COLLECTION OF SUCH TAXES FROM THE LESSEES THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The lands and buildings owned by the city of Boston in fee, in trust or otherwise may, if leased for business purposes, be taxed by the assessors of taxes of said city and the taxes assessed to the lessees thereof or to their assigns in the same manner and to the same extent as if said lessees were the owners thereof in fee. Payment of the said taxes shall not be enforced by any lien upon or sale of the said lands and buildings, but the interests of said lessees or their assigns therein may be sold by the collector of taxes of said city for the non-payment of the taxes assessed as aforesaid, in the manner provided by law for the sale of real estate for non-payment of local taxes. Said collector of taxes may maintain against the persons assessed as aforesaid or their legal representatives actions in his own name for the taxes so assessed in the manner provided by law for the collection of other local taxes.

SECTION 2. This act shall take effect upon its passage but for the purposes of taxation in the year nineteen hundred and twenty-two, the said lessees shall be subject to taxation as of April first, nineteen hundred and twenty-two. *Approved May 9, 1922.*

See 1918 (S), ch. 93.

263 Mass. 255, 258, 260, 261.

1922.—CHAPTER 521.

AN ACT PROVIDING RETIREMENT ALLOWANCES BASED ON ANNUITY AND PENSION CONTRIBUTIONS FOR EMPLOYEES OF THE CITY OF BOSTON OR OF THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. This act shall be known as the Boston retirement act and its purpose is to improve the efficiency of the public service by the retirement of disabled or superannuated employees.

SECTION 2. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Retirement system" shall mean the arrangement provided in this act, for the retirement of and payment of retirement allowances to employees as defined in paragraph (b) of this section.

(b) "Employee" shall mean any regular and permanent

employee of the city of Boston or county of Suffolk (except teachers employed by the city of Boston in day schools conducted under sections one to twenty-four, inclusive, of chapter seventy-four of the General Laws) whose only or principal employment is in the service of the city of Boston or county of Suffolk, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

(c) "Prior service" shall mean service rendered as an employee prior to February first, nineteen hundred and twenty-three, and shall include service rendered as an employee of the Boston Transit Commission or of the former town of Hyde Park.

(d) "Member" shall mean any employee included in the retirement system as provided in section five.

(e) "New entrant" shall mean any person becoming an employee on or after February first, nineteen hundred and twenty-three, and any person who becomes a member on or after February first, nineteen hundred and twenty-four.

(f) "Accumulated deductions" shall mean the sum of all the amounts deducted from the compensation of a member and standing to his credit in the annuity savings fund together with regular interest thereon.

(g) "Annuity" shall mean the annual payments for life derived from the accumulated deductions of a member.

(h) "Pension" shall mean the annual payments for life derived from contributions made by the city.

(i) "Regular interest" shall mean interest at four per centum per annum compounded annually.

(j) "Regular compensation" shall mean the compensation determined by the head of the department for the individual service of each employee in that department.

SECTION 3. The retirement system shall be established on February first, nineteen hundred and twenty-three, and the system shall be known as the Boston Retirement System.

SECTION 4. Within sixty days from the date that this act shall take effect, a retirement board of three persons for the retirement of the employees as defined by this act shall be created, consisting of the treasurer of the city of Boston, one person appointed by the mayor of the city of Boston, subject to the provisions of section nine of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, who shall serve until September first, nineteen hundred and twenty-four, and one person to be appointed by the other two members, who shall be a member of or eligible to membership in this retirement system, who shall serve until September first, nineteen hundred and twenty-five. Thereafter the term of office of a member other than the treasurer of the city of Boston shall be four years. Each member of the retirement board shall be paid ten dollars for each meeting he attends but not more than five hundred dollars in any one year.

The retirement board shall employ an executive officer and such actuarial, clerical and other assistants as may be necessary for the proper operation of the system established by this act.

The funds to meet the cost of administering the retirement system established by this act shall be derived from appropriations of the city of Boston within the statutory tax limit. The retirement board shall, like other departments of the city, submit a budget to the mayor not later than February first of each year.

SECTION 5. All persons who are employees on the date when this retirement system is established may become members of the system. Every employee in service on said date, except an employee then covered by any other pension or retirement law of this commonwealth, shall, on the expiration of sixty days from said date, be considered to have become a member of this retirement system unless within that period he shall have sent notice in writing to the retirement board that he does not wish to join the system. Employees declining to join this retirement system within sixty days from the establishment of the system may thereafter be admitted to membership but no employee shall receive credit for prior service unless he applies for membership or becomes a member of the retirement system within one year from the date of the establishment of the system.

An employee who is covered by any other pension or retirement law of the commonwealth on the date when this retirement system is established shall not be considered to have become a member of this retirement system unless said employee shall then or thereafter make written application to join this system and shall therein waive and renounce all benefits of any other pension or retirement system supported wholly by the city of Boston or county of Suffolk, but no such employee shall receive credit for prior service unless he makes such application for membership within one year from the date of establishment of this system. If such an employee does not make such application and waive and renounce such benefits, he shall retain and enjoy said benefits without diminution or impairment.

All persons who become employees after the establishment of this system shall as a part of their employment become members of this retirement system and shall receive no other pension or retirement allowance from the city of Boston or the county of Suffolk.

On and after January first, nineteen hundred and twenty-six, the services of an employee, not a veteran of the Civil war, of the Spanish war or Philippine insurrection or the World war as defined in section fifty-six of chapter thirty-two of the General Laws, or not a member of the judiciary or not a teacher, who attains or has attained the age of seventy and who is not a member of this system, shall terminate forthwith.

SECTION 6. The funds hereby created are the annuity savings fund, the pension accumulation fund and the retirement reserve fund.

The annuity savings fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city of Boston shall withhold four per cent of the regular compensation due on each pay day to all employees who are members of this retirement system; provided, however, that a member who is a contributing member of the teachers' retirement

fund, as established by chapter two hundred and thirty-seven of the acts of nineteen hundred, if he shall so request in writing to the treasurer, shall have his contributions to this retirement system reduced by the amount deducted from his salary under the provisions of said chapter two hundred and thirty-seven. The amounts so withheld shall be transferred immediately thereafter to the retirement board and credited to the account of each member so contributing and shall be paid into and become a part of said annuity savings fund.

The pension accumulation fund shall be the fund in which shall be accumulated the annual contributions which shall be made by the city. These annual contributions shall be such as shall be determined by actuarial computations on the basis of mortality and service tables approved by the retirement board as necessary to provide all pension payments on account of members of the retirement system and shall be paid by the treasurer of the city of Boston to the retirement board in such instalments and at such times as the retirement board shall require. These annual contributions shall consist of a normal and an accumulated liability contribution.

The normal contribution shall be equal to such per centum of the annual compensation of all members as is computed to be sufficient to provide during the active service of the average new entrant for all pensions for which the city may be liable on his account.

The accumulated liability contribution shall be computed as a constant percentage of the total pay roll of all members and shall be sufficient to provide during the thirty year period immediately following the establishment of this system for all pensions to be paid on account of members who are entitled to credit for prior service when this system is established, which are not provided by the normal contributions made on their account. The accumulated liability contributions shall be at least equal to regular interest on the amount of the accumulated liability and shall be at least three per cent greater in amount each year than the amount for the preceding year. The accumulated liability contributions shall be discontinued as soon as the accumulated liability has been liquidated.

The retirement reserve fund shall be the fund to which upon, the retirement of any member shall be transferred:

(a) From the annuity savings fund the accumulated deductions of the member, and

(b) From the pension accumulation fund an amount equal to his accumulated deductions, and

(c) From the pension accumulation fund in the case of the accidental death or the retirement of a new entrant an amount sufficient to provide the pension payable on his account not covered by paragraph (b).

SECTION 7. From the annuity savings fund shall be paid the accumulated deductions of all members leaving the service, except by retirement.

From the retirement reserve fund shall be paid all annuities and all pensions equal to the annuities and in the case of new entrants all pensions payable on their account.

From the pension accumulation fund shall be paid in case

of members who are entitled to credit for prior service all pensions payable on their account which are not payable from the retirement reserve fund.

SECTION 8. The retirement board is authorized to invest the funds of the retirement system in such securities as are allowed for investment by the sinking fund commissioners of the city of Boston.

The retirement board shall annually allow regular interest on the average balance for the preceding year to the credit of the various funds from the interest and dividends earned from investments. Any excess earnings over the amount so credited shall be used in reducing the amount of contributions required of the city of Boston during the ensuing year. Any deficiency shall be paid by the city of Boston during the ensuing year.

SECTION 9. A member of this retirement system who shall have attained age sixty shall, upon his own application be retired for superannuation within thirty days after the filing of such application, or he may, and if he is a member of the police force he shall, upon the application of the head of his department be retired for superannuation by the retirement board. A member, other than a member of the police force, whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hearing before the retirement board provided he requests such hearing in writing within ten days of the receipt of such notice.

A member of this retirement system who shall have attained age seventy shall be retired for superannuation within thirty days, except members of the judiciary, and except that a school teacher shall be retired on the thirty-first day of August following his attaining the age of seventy.

SECTION 10. Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of:

- (a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and
- (b) A pension equal to the annuity, and
- (c) If a member was an employee at the time the system was established and became a member within one year thereafter and has not since become a new entrant, an additional pension having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system then been in operation, together with regular interest thereon. The total pension of any member payable under the provisions of this section shall not exceed one half of the average annual compensation received by him during the five years immediately preceding his retirement.

SECTION 11. Retirement for ordinary disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or of the member or a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty and ought to be retired; provided, that said member has not attained age sixty and has had fifteen or more years of city or county service

next preceding his application and that the medical board, after examination, shall report that said member is physically or mentally incapacitated for the performance of duty and that he should be retired.

SECTION 12. Upon retirement for ordinary disability a member shall receive a retirement allowance consisting of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity but not to exceed ninety per cent of the pension that would have been provided at age sixty, and

(c) An additional pension of such an amount as would together with the pension under (b) of this section make up a total pension of ninety per cent of the pension that would have been provided by the city for the member had he remained without further change of compensation in the service of the city or county until he reached age sixty and retired.

SECTION 13. Retirement for accidental disability shall be made by the retirement board upon the application of the head of the department in which the member is employed or of the member or of a person acting in his behalf, stating that said member is physically or mentally incapacitated for the performance of duty as the result of an accident occurring during the performance and within the scope of his duty and certifying the time, place and conditions of such service performed by said member resulting in such alleged disability, and that such alleged disability was not the result of contributory negligence on the part of said member and that he ought to be retired; provided, that the medical board after examination shall report that said member is physically or mentally incapacitated for the performance of duty as a natural and proximate result of an accident occurring in the performance and within the scope of his duty and that such disability is not the result of contributory negligence on the part of said member and that said member should be retired.

SECTION 14. Upon retirement for accidental disability a member shall receive a retirement allowance consisting of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) An additional pension of such an amount as will, together with the annuity and pension, be equal to three fourths of the annual compensation received by him during the year immediately preceding the date of the accident.

SECTION 15. An accidental death benefit shall be granted by the retirement board upon application by the head of the department in which the member was employed or of a person acting in behalf of the member and upon proof that he was killed in or died as the result of an accident while in the performance and within the scope of his duty. Such accidental death benefit shall consist of:

(a) His accumulated deductions which shall be paid to his legal representative, and

(b) If he has dependents a pension equal to one half the

annual compensation received by him during the year immediately preceding the date of the accident, which pension shall be paid:

(1) To his widow during her widowhood, or

(2) If there be no widow or if the widow dies or remarries before every child of such deceased member shall have attained the age of eighteen years, then to his child or children under said age, divided in such manner as the retirement board in its discretion shall determine to continue as a joint and survivor pension until every such child dies or attains the age of eighteen years, or

(3) If there be no widow, or child under the age of eighteen years surviving such deceased member, then to either his dependent father or dependent mother as the retirement board in its discretion shall determine, to continue for life or until remarriage.

SECTION 16. Should a member cease to be an employee by resignation or discharge or for any reason other than death or retirement he shall be paid the amount of his accumulated deductions, and his membership in the retirement system shall thereupon cease. Should a member die while an employee his accumulated deductions shall be paid to his legal representative.

SECTION 17. With the condition that no optional selection shall become effective in case a member dies within thirty days after filing his application for retirement, until the first payment on account of any retirement allowance is made, the member or if he be an incompetent then his wife, or if he have no wife, a conservator, may elect to receive in lieu of the retirement allowance provided for in this system a lesser retirement allowance payable throughout life with the provision that:

Option 1. If he die before he has received in payments the present value of his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he, his wife or conservator shall have nominated by written designation duly acknowledged and filed with the retirement board; or

Option 2. Upon his death his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, his wife or conservator, shall have nominated by written designation duly acknowledged and filed with the retirement board at the time of his retirement; or

Option 3. Upon his death one half his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, his wife or conservator, shall have nominated by written designation duly acknowledged and filed with the retirement board at the time of his retirement.

SECTION 18. There shall be a medical board of three physicians, one of whom shall be a surgeon, one a medical practitioner and one a neurologist, appointed by the trustees of the Boston city hospital on nominations made by the senior medical staff of said hospital, one of whom shall be appointed for one year, one for two years and one for three years and thereafter as the terms of office expire in each year one member for three years. The compensation of the members of the medical board shall be fixed by the retirement board with the approval of the mayor. The medical board

shall arrange for and pass upon all medical examinations required under the provisions of this act and shall report in writing to the retirement board its conclusions and recommendations thereon.

SECTION 19. Once each year the retirement board shall require every person under age sixty who was retired for disability to submit to a medical examination to be made at a place designated by the medical board. Upon the completion of such examination the medical board shall report and certify to the retirement board whether said beneficiary is still incapacitated physically or mentally for service in the department of the city or county where he was employed and of the rank or rating held by him when retired for disability.

If the medical board shall find that the disability for which the member was retired has ceased, or if the member fails to submit to said examination, his retirement allowance shall cease. Should the disability for which a member was retired upon application of the head of the department in which he was employed cease, he shall be restored to the department from which he was retired at the same rank and salary which he had when he was retired. Should the retirement allowance of any disability beneficiary be cancelled as provided in this section without his restoration to service the reserve on his pension in the retirement reserve fund shall be transferred to the pension accumulation fund and the reserve on his annuity in the retirement reserve fund shall be paid to him. Should a disability beneficiary be restored to active service as provided in this section, the reserve on his pension in the retirement reserve fund shall be transferred to the pension accumulation fund and the reserve on his annuity in the retirement reserve fund shall be transferred to his credit in the annuity savings fund and he shall then become again a member of the retirement system. When next retired his retirement allowance shall be based upon his service period preceding his first retirement together with the service period from the date of his restoration to city or county service to the date of his final retirement.

SECTION 20. The retirement board shall prepare and publish an annual report which shall also be printed in the city record of the city of Boston showing the valuation of the assets and liabilities of the funds created by this act and a statement as to the accumulated cash and securities of the funds as certified by the city auditor and city treasurer and shall set forth in such report such other facts, recommendations and data as may be of value to the members of the retirement system and the city of Boston.

The retirement board shall collect and keep in convenient form such data as shall be necessary for the preparation of the mortality and service table and for the compilation of such other information as shall be necessary for the actuarial valuation of the assets and liabilities of the system.

In the five year period beginning with the year nineteen hundred and twenty-three and in every five year period thereafter the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the system and shall make a valuation of the assets and liabilities

of the funds and taking into account the result of such investigation the retirement board shall:

(a) Adopt for the system such mortality, service and other tables as shall be deemed necessary, and

(b) Certify the rates of contribution payable by the city of Boston under the provisions of this act.

On or before the establishment of the retirement system the actuary shall recommend to the retirement board appropriate tables for use as a basis for making actuarial calculations preliminary to the preparation of tables based on the experience of members after the establishment of the system.

By the use of the mortality and service tables which shall be adopted from time to time, the actuary shall prepare annually a valuation of the assets and liabilities of the retirement system for publication in the annual report.

SECTION 21. The retirement board may make such rules and regulations consistent with the terms of this act as it may deem necessary to carry out the provisions of this act.

SECTION 22. Pensions and annuities under the provisions of this act shall be payable in equal monthly instalments.

SECTION 23. The pensions, annuities and retirement allowances and the accumulated deductions and the cash and securities in the funds created by this act are hereby exempted from any state or municipal tax and shall not be subject to executions or attachments by trustee process or otherwise, in law or in equity, or under any other process whatsoever, and shall be non-assignable except as specifically provided in this act.

SECTION 24. The retirement board shall estimate the aggregate amount to be paid by the city of Boston and the county of Suffolk to the various funds created under the provisions of the act for each fiscal year of the city of Boston, and shall submit said estimate to the mayor of the city of Boston not later than July first in each year.

SECTION 25. The amounts necessary to pay the contributions of the city of Boston and county of Suffolk to the various funds created under the provisions of this act shall be obtained from funds raised by taxation and shall not be subject to the statutory tax limit of the city for municipal purposes.

SECTION 26. Any amounts paid or payable by the city of Boston under the provisions of the workmen's compensation law to a member or to the dependents of a member on account of death or disability shall be offset against and payable in lieu of any benefits payable out of funds provided by the city of Boston under the provisions of this act on account of the death or disability of a member. If the value of the total commuted benefits under the workmen's compensation law is less than the reserve on the pension otherwise payable under this act, the value of such commuted payments shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

SECTION 27. No person who was a member of the retirement system and who receives a retirement allowance under the retire-

ment system shall be paid for any service, except service as a juror, and such service as he may be called upon to perform in the police or fire department in a time of public emergency, rendered by him to the city of Boston or county of Suffolk after the date of the first payment of such retirement allowance.

SECTION 28. The supreme judicial court shall have jurisdiction in equity upon the petition of the retirement board or any interested party to compel the observance and restrain violation of this act and the rules and regulations established thereunder.

SECTION 29. If it is impracticable for the retirement board to determine the exact length of service or amount of salary, pay or compensation of any member, the same shall be estimated by the retirement board.

SECTION 30. The school committee of the city of Boston shall determine the regular compensation paid school janitors. Such regular compensation shall be such part or the whole of the amount paid a school janitor by the city of Boston under the method now used in determining the cost of janitors' services in the public school buildings as is retained by a janitor for his own services as fixed by the school committee.

SECTION 31. Nothing contained in this act shall affect the right or power of the city of Boston, the school committee of the city of Boston, the county of Suffolk or the police commissioner of the city of Boston in regard to demotion, transfer, suspension or discharge of any employee.

SECTION 32. All acts or parts of acts inconsistent herewith are hereby repealed. Nothing herein contained shall be construed as affecting the provisions of sections forty-nine to sixty, inclusive, of chapter thirty-two of the General Laws nor of chapter two hundred and eighty-nine of the Special Acts of nineteen hundred and sixteen.

SECTION 33. Section sixteen of chapter thirty-two of the General Laws is hereby amended by inserting after the words "nineteen hundred and ten" in the sixth line the words: —, or the Boston Retirement Act of nineteen hundred and twenty-two, — so that paragraph (1) will read as follows: — *Section 16.* (1) Whenever, after July first, nineteen hundred and fourteen, a town retires a teacher who is not eligible to a pension under section ten, paragraph (4) and pays to such teacher a pension in accordance with section forty-three, or chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, as amended by chapter six hundred and seventeen of the acts of nineteen hundred and ten, or the Boston Retirement Act of nineteen hundred and twenty-two, and the school committee of said town certifies under oath to the board the amount of said pension, said town shall be reimbursed therefor annually by the commonwealth; provided, that no such reimbursement shall be granted unless the retirement has been approved by the board and the amount of said reimbursement shall not be in excess of the amount, as determined by the board, to which said teacher would have been entitled as a pension, had he been a member of the association.

SECTION 34. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston; provided, such acceptance occurs prior to September first in the current year.

Approved June 8, 1922.

Accepted, August 22, 1922.

Section 1, 254 Mass. 404, 405.

Section 2, paragraph (b), Amended, 1923, ch. 381; 1925, ch. 18, s. 1; 1926, ch. 390, s. 1; 1937, ch. 409, s. 5.

254 Mass. 404, 405.

Section 3, 267 Mass. 1, 2.

Section 4, 1937 Adv. Sh. 1341, 1345.

Section 5, 267 Mass. 1, 3, 4.

Section 6, Amended 1924, ch. 251, s. 1; 1933, ch. 243, s. 1.

Section 9, Amended 1924, ch. 251, s. 2.

254 Mass. 404, 406.

Section 10, Amended 1923, ch. 426, s. 1; 1924, ch. 251, s. 3.

Section 13, Amended 1937, ch. 163, s. 1.

Section 15, Amended 1937, ch. 163, s. 2.

Section 20, 1937 Adv. Sh. 1341, 1345.

Section 26, Amended 1925, ch. 152.

Section 30, Amended 1923, ch. 284, s. 1.

Section 32, 267 Mass. 1, 4, 5.

See 1887, ch. 178; 1900, ch. 237; 1910, ch. 617; 1911, ch. 113;

1911, ch. 413; 1916 (S) ch. 257; 1917 (S) ch. 214; 1920, ch.

50; 1924, ch. 251; 1925, ch. 90; 1926, ch. 390; 1929, ch. 3;

1930, ch. 387.

254 Mass. 404, 405; 267 Mass. 1, 2, 5; 1937 Adv. Sh. 1341, 1345.

1922.—CHAPTER 525.

AN ACT RELATIVE TO THE CUSTODY AND CONTROL OF THE SUFFOLK COUNTY COURT HOUSE.

Be it enacted, etc., as follows:

Section one of chapter four hundred and fifty-three of the acts of eighteen hundred and ninety-four is hereby amended by striking out at the beginning of said section the words "Upon the completion of the Suffolk county court house, erected in pursuance of chapter three hundred and seventy-seven of the acts of the year eighteen hundred and eighty-five",—by striking out, in the fourth line, the word "such" and inserting in place thereof the words:—the Suffolk county,—by striking out, in the fifth line, the words "justices of the supreme judicial court" and inserting in place thereof the words:—sheriff of Suffolk county,—by striking out, in the seventh line, the word "they" and inserting in place thereof the word:—he,—and by striking out, in the tenth line, the word "justices" and inserting in place thereof the word:—sheriff,—so as to read as follows:—*Section 1.* The care, custody and control of the Suffolk county court house shall be in the sheriff of Suffolk county, who may, for this purpose, appoint a custodian and such other officers as he may deem necessary, determine their term of service, and

may remove them and appoint others in their place. The compensation of such custodian and other officers shall be fixed by the said sheriff, and shall be paid by the city of Boston.

Approved June 12, 1922.

1922.—CHAPTER 541.

AN ACT PROVIDING FOR THE TAKING OF THE PICTURE ENTITLED
"THE SYNAGOGUE".

Extended 1923, ch. 82; Repealed, 1924, ch. 220.

1923.—CHAPTER 27.

AN ACT EXEMPTING A CERTAIN PARCEL OF LAND OF THE MASSACHUSETTS GENERAL HOSPITAL IN THE CITY OF BOSTON FROM RESTRICTIONS AS TO THE HEIGHT OF BUILDINGS.

Be it enacted, etc., as follows:

SECTION 1. The parcel of land of the Massachusetts General Hospital, situated in the city of Boston and bounded by Charles street, Allen street, a line three hundred and fifty feet easterly from the easterly side line of and parallel to said Charles street, Fruit street and land of the Massachusetts Charitable Eye and Ear Infirmary, is hereby exempted from the provisions of chapter three hundred and thirty-three of the acts of nineteen hundred and four, chapter three hundred and eighty-three of the acts of nineteen hundred and five and chapter three hundred and thirty-three of the Special Acts of nineteen hundred and fifteen relative to the height of buildings, and is relieved from the restrictions as to height placed thereon by the commission on height of buildings in the city of Boston acting under authority of said statutes; provided, however, that nothing herein shall authorize the erection on said parcel of a building exceeding one hundred and twenty-five feet in height, nor the erection of any building thereon except in accordance with a permit duly granted therefor by the building commissioner of the city of Boston, nor shall this act operate to change existing restrictions as to the height of buildings on said parcel unless such buildings shall be erected for hospital purposes.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1923.

1923.—CHAPTER 56.

AN ACT TO PROVIDE FOR A LARGER CURRENT APPROPRIATION FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON.

1923.—CHAPTER 82.

AN ACT EXTENDING THE TIME FOR THE TAKING OF THE PICTURE ENTITLED "THE SYNAGOGUE", NOW IN THE BOSTON PUBLIC LIBRARY.

Repealed (See 1924, ch. 220).

1923.— CHAPTER 108.

AN ACT RELATIVE TO APPEALS FROM DECISIONS OF THE BUILDING COMMISSIONER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section seven of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section three of chapter four hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by adding at the end thereof the following new paragraph:— Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of ten dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once in each week. The building commissioner may in his discretion refer without fee to the said board for its decision such cases as in his opinion justice requires.

Approved March 10, 1923.

1923.— CHAPTER 223.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriation for municipal purposes for year ending January 31, 1924, \$12.75.)

1923.— CHAPTER 242.

AN ACT TO CHANGE THE CIVIL SERVICE LAWS RELATIVE TO CERTAIN POLICE OFFICERS IN CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

* * * * *

SECTION 3. Every police officer holding an office classified under the civil service rules in the city of Boston, whether for a definite or stated term, or otherwise, shall hold such office continuously during good-behavior, and shall not be removed therefrom, lowered in rank or compensation, or suspended, or without his consent transferred from such office or employment to any other, except for just cause and for reasons specifically given in writing by the removing officer or board within twenty-four hours after such removal, suspension, transfer or lowering in rank or compensation; and every police officer sought to be so removed, lowered in rank or compensation, suspended or transferred shall be entitled to a public hearing, the same in all respects as provided in section forty-three of chapter thirty-one of the General Laws, including notice of decision, reinstatement and record of proceedings.

Approved April 9, 1923.

Section 3, 278 Mass. 507, 509.

1923.— CHAPTER 278.

AN ACT REQUIRING THE INSTALLATION OF STANDPIPES AND OTHER EQUIPMENT IN CERTAIN BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. In this act the following terms shall have the following meanings:

“Fire department connection”, connection near the base of a

building located not less than ten nor more than forty-two inches above the sidewalk or ground, to which the fire department hose may be attached.

"Fire department standard", the standard prescribed by the fire commissioner of the city of Boston.

"Fire department standpipe", a standpipe of not less than five inches internal diameter for buildings not exceeding ninety feet in height, and not less than six inches internal diameter for buildings of greater height.

"First aid standpipe", a standpipe of not less than two and one half inches internal diameter.

SECTION 2. All buildings hereafter erected in the city of Boston exceeding seventy feet in height and all existing buildings in said city hereafter so altered that the height thereof is increased to over seventy feet shall be provided with such fire department standpipes, first aid standpipes, fire department connections and other fire protection equipment as is hereinafter provided. Each story of such a building shall be provided with not less than one two and one half inch outlet fitted with a two and one half inch gate valve with male end, all fire department standard, located not higher than five feet three inches above the floor; except that unless required by the building commissioner of said city of Boston no two and one half inch outlet need be installed on the ground floor. There shall further be provided on each floor not less than one one and one quarter inch outlet fitted with a one and one quarter inch gate valve, fifty feet of standard one and one quarter inch hose with nozzle with one half inch orifice attached ready for use, and a standard hose rack or reel. Such valve shall be erected not higher than five feet above the floor. Whenever required by said fire commissioner a roof hydrant or monitor nozzle shall be installed, in which event the standpipe upon said roof shall be not less than six inches internal diameter. Said roof hydrant shall consist of two two and one half inch outlets fitted with two and one half inch gate valves with male end, all fire department standard, and not less than fifty feet of standard two and one half inch hose and play pipe properly stored and accessible for use.

Fire department standpipes shall be located so as to afford protection against exterior hazard, as well as protection to the building in which they are placed, and where practicable shall be erected within stair enclosures. The number of fire department standpipes in each building shall be such that all portions of each story of the building may be reached by an effective stream from a standard nozzle installed and attached to hose not exceeding one hundred feet in length, and shall be primarily for the use of the fire department.

First aid standpipes shall be of such number that all portions of each story of the building may be reached effectively by a stream from a standard nozzle installed and attached to hose not exceeding fifty feet in length. When in the judgment of the said building commissioner the foregoing requirements as to first aid standpipes are impracticable, separate first aid outlets at each story may be taken from fire department standpipes and the requirements for first aid standpipes may be so modified by said commissioner.

First aid standpipes shall be primarily for use by the occupants of the building. Each standpipe system shall connect with the city water main through one four-inch branch provided exclusively for that purpose. Supplies shall be taken from high service when such is available. A flow test pipe of not less than two inches internal diameter shall be provided on each system. Every building subject to this act shall be provided with suitable fire department connections. When a system is composed of more than one standpipe, cross-connections shall be made so that supply through fire department connections will reach all portions of the system; except that when standpipes are widely separated, precluding the probability of mistake by the fire department, the system may be divided.

All standpipes installed under the provisions of this act shall be subjected to a hydrostatic test of two hundred and fifty pounds and shall be satisfactory to the said building commissioner.

All hose shall be tested in the presence of an inspector from the building department at least once a year, and all defective hose shall be replaced without delay.

When in the judgment of the said fire commissioner it is impracticable to protect standpipes from freezing, he may at his discretion allow water to be shut off from said standpipes from the first day of November in any year until the first day of April next following; provided, however, that a controlling valve is located, arranged, and supervised in a manner satisfactory to said commissioner.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Boston subject to the provisions of its charter; provided that such acceptance occurs prior to December thirty-first in the current year.

Approved April 14, 1923.

Accepted September 18, 1923.

See 1850, ch. 262; 1907, ch. 550.

1923.—CHAPTER 284.

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCES OF SCHOOL JANITORS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section thirty of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "determine" in the second line the words:—, for the purposes of this act and all other retirement acts applicable to school janitors in the city of Boston,—so as to read as follows:—*Section 30.* The school committee of the city of Boston shall determine, for the purposes of this act and all other retirement acts applicable to school janitors in the city of Boston, the regular compensation paid school janitors. Such regular compensation shall be such part or the whole of the amount paid a school janitor by the city of Boston under the method now used in determining the cost of janitors' services in the public school buildings as is retained by a janitor for his own services as fixed by the school committee.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1923.

1923.—CHAPTER 289.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE PURCHASE OF A SITE AND THE ERECTION OF POLICE HEADQUARTERS.

(Police Headquarters Loan Act of 1923.)

Accepted May 1, 1923.
See 1906, ch. 291.

1923.—CHAPTER 308.

AN ACT RELATIVE TO THE TRANSFER OF CERTAIN LANDS IN EAST BOSTON FROM THE PARK DEPARTMENT TO THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The William Amerena playground, formerly Cottage street playground, and the Eagle Hill playground, formerly White street reservoir, in the East Boston district of the city of Boston, shall hereafter be devoted to school purposes and shall be under the control of the school committee of the city of Boston; provided, that the school committee of said city appropriates the sum of fifty thousand dollars to be transferred to its park department to be used in acquiring or developing other land for parks or playgrounds in said East Boston district.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council and the school committee of the city of Boston.

Approved April 24, 1923.

Accepted May 15, 1923.

Accepted by School Committee May 21, 1923.

See 1875, ch. 185; 1905, ch. 349.

1923.—CHAPTER 309.

AN ACT RELATIVE TO THE ERECTION AND MAINTENANCE OF A FIRE ALARM SIGNAL STATION WITHIN THE LIMITS OF THE BACK BAY FENS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting through its fire department, may erect and maintain a fire alarm signal station within the limits of the Back Bay Fens, if the mayor and city council of said city so determine. The location of said station shall be subject to the approval of the park department of said city.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1923.

See 1850, ch. 262; 1875, ch. 185.

1923.—CHAPTER 312.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT A SEWER IN THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may construct and maintain a sanitary sewer in and under East street in the town of Dedham

between a point at or near the junction of Curve street and East street in said Dedham, near the present location of the metropolitan sewer on East street, and the dividing line between said city and said town, for a distance of thirty-two linear feet, more or less, with a twenty-four inch double strength pipe and for a distance of thirteen hundred linear feet, more or less, with two foot, nine inch, circular concrete sanitary sewer or its equivalent.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1923.

1923.—CHAPTER 358.

AN ACT TO COMPEL THE BOSTON ELEVATED RAILWAY COMPANY TO MAINTAIN AND KEEP IN REPAIR THE PORTIONS OF HIGHWAYS OCCUPIED BY ITS TRACKS.

Be it enacted, etc., as follows:

SECTION 1. During the period of public operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and acts in amendment thereof and supplementary thereto, the Boston Elevated Railway Company shall keep in repair, to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways, or the division of highways of the department of public works, in the case of state highways, or the metropolitan district commission, in the case of metropolitan boulevards, the paving, upper planking or other surface material of the portions of streets, roads and bridges occupied by its tracks; and if such tracks occupy unpaved streets or roads, shall, in addition, so keep in repair eighteen inches on each side of the portion occupied by its tracks, and shall be liable for any loss or injury that any person may sustain by reason of the carelessness, negligence or misconduct of its agents and servants in the construction, management, and use of its tracks.

SECTION 2. When a party upon the trial of an action recovers damages of the commonwealth or of a city or town for an injury caused to his person or property by a defect in a street, highway, or bridge occupied by the tracks of said company, if said company is liable for such damages, and has had reasonable notice to defend the action, the commonwealth, city or town may recover of the said company, in addition to the damages, all costs of both plaintiff and defendant in the action.

SECTION 3. During the period of public operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and acts in amendment thereof and supplementary thereto, said company shall not be required to make the returns nor shall there be assessed upon or paid by it the taxes required by sections sixty-one to sixty-six, inclusive, of chapter sixty-three of the General Laws.

Approved May 5, 1923.

Section 1, 1937 Adv. Sh. 323, 324, 325.

Section 3, 261 Mass. 523, 545.

249 Mass. 181, 183; 270 Mass. 330, 332.

1923.—CHAPTER 381.

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN TEACHERS IN
THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.*Be it enacted, etc., as follows:*

* * * * *

SECTION 3. Section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by striking out paragraph (b) and inserting in place thereof the following:—(b) “Employee” shall mean any regular and permanent employee of the city of Boston or county of Suffolk (except teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers’ retirement association) whose only or principal employment is in the service of the city of Boston or county of Suffolk, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

SECTION 4. Upon written application to the state teachers retirement board at any time prior to September first, nineteen hundred and twenty-three, by any teacher then employed by the city of Boston who has formerly been a member of the state teachers’ retirement association, he shall again become a member of such association. Upon written application to the retirement board of the Boston retirement system, established by chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, and written notification to the state teachers’ retirement board at any time prior to said September first by any teacher then employed by the city of Boston who is a member of the state teachers’ retirement association, he shall cease to be a member of such association and shall become a member of said Boston retirement system.

SECTION 5. Any teacher employed by the city of Boston on February first, nineteen hundred and twenty-three, in a day school conducted under sections one to twenty-four, inclusive, of chapter seventy-four of the General Laws, who thereafter becomes a member of said Boston retirement system, shall be considered, for the purposes of said chapter five hundred and twenty-one, to have been on said date an employee as defined by section two (b) of said chapter five hundred and twenty-one.

SECTION 6. This act shall take effect upon its passage.

Approved May 12, 1923.

1923.—CHAPTER 405.

AN ACT TO PROVIDE FOR THE ACQUISITION BY THE CITY OF BOSTON
OF STREET RAILWAY LINES IN THE HYDE PARK DISTRICT AND
THE OPERATION THEREOF BY THE BOSTON ELEVATED RAIL-
WAY COMPANY.*Be it enacted, etc., as follows:*

SECTION 1. When used in this act —
“City” shall mean the city of Boston.

“District” shall mean that part of the city formerly within the boundaries of the town of Hyde Park, together with that part of River street which extends from the old Hyde Park-Boston line to Mattapan square.

“Company” shall mean the Boston Elevated Railway Company.

“Premises” shall mean the property leased to the company by the city under the provisions of this act.

“Transit department” shall mean the transit department of the city of Boston, or such other board or officers as may succeed to its rights and duties.

SECTION 2. The city, acting through its transit department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and twenty-four, purchase or take by eminent domain the following property within the district:—all street railway lines, tracks and locations, including ties, rails, special work, joints, tie plates, fastenings, ballast, paving and brow stones, also all trestles, bridges and other structures for the support of said tracks; all pole and line construction, including all poles, trolley wires, span wires, feeders, telephone and telegraph systems appurtenant to said lines, signals and appurtenances, underground conduits, power houses, and equipment physically attached thereto and forming part thereof, and car barns and equipment attached thereto and forming part thereof.

SECTION 3. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter seventy-nine of the General Laws, except that petitions for the assessment of damages may be filed in the superior court for any of the following counties:—Suffolk, Norfolk or Middlesex. The right to damages as against the city for such taking or takings of any property owned by the Eastern Massachusetts Street Railway Company shall vest in said company. The city, acting by its transit department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under the provisions of section seven, but if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

SECTION 4. Before acquiring any property under authority of this act, the transit department in the name and on behalf of the city, shall execute a contract in writing with the company upon such terms and conditions, not inconsistent with the provisions of this act, as the transit department and the board of trustees of the company may agree upon, for the use by the company of the property proposed to be acquired, or so much thereof as shall appear to the board of trustees of the company to be necessary or convenient for the operation of street railway lines in the district, for a term beginning with the use of the premises by the company and extending to the termination of the period of public control of the company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred

and eighteen and acts in amendment thereof. The company shall pay for the use of the premises a rental at the rate of four and one half per cent per annum upon the fair and reasonable value of the premises for street railway purposes as agreed upon by the transit department and the company, or, in case of difference, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the premises, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said premises, the rental or a just and reasonable part thereof as agreed upon by the transit department and the company, or, in case of difference, as determined by the department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the premises, or any part thereof. In case the city shall, during the term of such contract, reimburse the company for capital expenditures upon the premises as provided in section five, the amount of such reimbursement shall be added to the fair and reasonable value of the premises for street railway purposes for the purpose of determining the rental thereafter payable by the company for the use of the premises.

SECTION 5. Said contract for use shall require the return of the premises to the city at the termination of said use in as good order and condition as at the beginning, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the premises as the company shall deem to be necessary or advisable to put the premises in good operating condition; provided, however, that no such alterations, replacements, additions or improvements shall be made, except in case of emergency, without the written consent of the transit department or a certificate from the department of public utilities that the proposed work is reasonably necessary or advisable to put the premises in good operating condition. In case of any such alteration, replacement, addition or improvement, the department of public utilities shall on application of the company determine what proportion thereof, if any, would, under the standard system of accounting prescribed for street railways by the interstate commerce commission and adopted by the department of public utilities, constitute a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the premises.

SECTION 6. There shall be made as of the date when the use of the premises by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the premises by a board of three persons, one appointed by the transit department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins plus all capital improvements and betterments for which the company has been reimbursed by the city shall exceed the valuation at the termination

of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 7. The treasurer of the city shall from time to time, on request of the transit department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Street Railway Loan, shall be for such terms not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by the transit department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said premises or shall be used for the payment of expenditures incurred for the acquisition of said property, as the transit department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in the said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 8. In respect to the use and operation of the premises, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it. To provide for proper connections with the premises, the company may make such alterations or extensions of its tracks and locations as the transit department may approve.

SECTION 9. The contract for the use of the premises executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city of Boston or any other licensee of the commonwealth may at any time have to take the railway properties of the Boston Ele-

vated Railway Company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 10. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the secretary of the commonwealth. For the purpose of such acceptance, this act shall take effect upon its passage.

Approved May 17, 1923.

Accepted June 5, 1923.

Section 7, Amended 1925, ch. 52, s. 1.

See 1894, ch. 548, s. 23; 1918 (S), ch. 159; 1920, ch. 613.

1923.—CHAPTER 426.

AN ACT RELATIVE TO MINIMUM RETIREMENT ALLOWANCES FOR MEMBERS OF THE BOSTON RETIREMENT SYSTEM RETIRED FOR SUPERANNUATION.

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "thereon" in the thirteenth line the word:—and,—and the following new paragraph:—(d) If the retirement allowance provided under the foregoing clauses of this section for a member who has been an employee for fifteen years or more would otherwise be less than four hundred and eighty dollars a year, an additional pension sufficient to make a total retirement allowance of four hundred and eighty dollars a year,—and by inserting after the word "not" in the fourteenth line the words:—, except as provided in paragraph (d),—so as to read as follows:—*Section 10.* Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) If a member was an employee at the time the system was established and became a member within one year thereafter and has not since become a new entrant, an additional pension having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system then been in operation, together with regular interest thereon and

(d) If the retirement allowance provided under the foregoing clauses of this section for a member who has been an employee for fifteen years or more would otherwise be less than four hundred and eighty dollars a year, an additional pension sufficient to make a total retirement allowance of four hundred and eighty dollars a year.

The total pension of any member payable under the provisions of this section shall not, except as provided in paragraph (d), exceed one half of the average annual compensation received by him during the five years immediately preceding his retirement.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved May 19, 1923.

Accepted May 29, 1923.

1923.—CHAPTER 460.

AN ACT PROVIDING THAT SCHOOL TEACHERS IN THE CITY OF BOSTON SHALL RECEIVE EQUAL PAY FOR THE SAME KIND AND GRADE OF SERVICE, IRRESPECTIVE OF SEX.

Rejected at City election December 11, 1923.

1923.—CHAPTER 462.

AN ACT RELATIVE TO THE BUILDING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter seven hundred and four of the acts of nineteen hundred and thirteen, is hereby further amended by striking out the seventh and eighth paragraphs and inserting in place thereof the following two paragraphs:—All permits issued by the commissioner shall be on printed forms approved by him. The commissioner shall issue rules and regulations governing the tearing down of buildings. Permits granted for building operations may be revoked by the commissioner if work is not commenced thereunder within six months from the date of the permit. Applications for permits for building operations upon which permits have not been granted within a period of six months from the date of the filing of the same shall become void.

If the commissioner finds that work is being done without a permit or that the terms of a permit already granted are being violated he may, after notice mailed to the owner doing or causing the work to be done, order the whole or any part of such work stopped, and such work shall not be resumed until the commissioner has issued a permit or given his written approval for the continuance of such work.

SECTION 2. Section four of said chapter five hundred and fifty, as amended by section one of chapter two hundred and five of the acts of nineteen hundred and fourteen and by section one of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following:—

Section 4. The commissioner, or one of his inspectors, shall inspect every building or other structure or anything attached to or connected therewith which he has reason to believe is not provided with sufficient means of egress in case of fire satisfactory to the commissioner, exists in violation of any provision of this act or is unsafe or dangerous to life, limb, or adjoining buildings, and if he finds it not provided with sufficient means of egress in case of fire satisfactory to the commissioner, or to exist in violation of any provision of this act, or unsafe or dangerous, he shall

forthwith order sufficient means of egress to be provided or that the provisions of this act be complied with. Such order shall be served on the owner or agent or any person having an interest in such building, or on the administrator, executor or trustee of such owner, by leaving an attested copy thereof in hand or at his last and usual place of abode, if known, otherwise by posting an attested copy of such order in a conspicuous place upon the external walls of such building. The commissioner may affix to any such building by posting in a conspicuous place upon its external walls a notice of its dangerous condition or of its condition as a fire-trap or of its being a common nuisance within the provisions of this act. The notice shall not be removed or defaced without his consent.

SECTION 3. Said chapter five hundred and fifty, as amended in section five by section two of chapter two hundred and five of the acts of nineteen hundred and fourteen, by section two of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen and by section one of chapter ninety-one of the acts of nineteen hundred and twenty, is hereby further amended by striking out said section five and inserting in place thereof the following:—*Section 5.* The person notified as provided in the preceding section shall provide sufficient means of egress in case of fire satisfactory to the building commissioner, or shall comply with the provision of this act which is being violated, or shall secure or remove said building, structure, attachment or connection forthwith. If the public safety so requires, the commissioner, with the approval of the mayor, may at once enter the building or other structure which he finds unsafe or dangerous, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway. The expense incurred thereby may be recovered of the owner thereof in an action in contract.

Before beginning the removal of any building or other structure, the building commissioner shall give notice by mail to the owner of his right to the material upon request. If the owner claims the material, he shall at once so notify the commissioner in writing and shall remove the same within ten days after the building or structure is taken down, and if he fails to do so the building commissioner may dispose of the material.

SECTION 4. Section eight of said chapter five hundred and fifty, as amended by section one of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section one of chapter two hundred and sixty-six of the acts of nineteen hundred and twenty, is hereby further amended by striking out the sixth paragraph and inserting in place thereof the following:—Any requirement necessary for the strength or stability of any existing or proposed structure or for the safety of the occupants thereof, not specifically covered by this act, shall be determined by the commissioner, subject to appeal.

SECTION 5. Section ten of said chapter five hundred and fifty, as amended by section two of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen and by

section one of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the first paragraph and inserting in place thereof the following:— *Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays, or wharves, nor to buildings belonging to and occupied by the United States, the commonwealth, Suffolk county, nor to railroad stations, nor to portable or permanent school buildings erected and maintained by the schoolhouse department except as provided in section seventeen of this act and amendments thereof or additions thereto nor to voting booths erected and maintained by the board of election commissioners.

SECTION 6. Section eleven of said chapter five hundred and fifty, as amended by section three of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the first sub-paragraph and inserting in place thereof the following:— *First Class Building.* A first class building shall consist of fireproof material throughout, with floors and roofs constructed of iron, steel or reinforced concrete beams, filled in between with terra cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for under and upper floors, windows and door frames, sashes, doors, interior finish, hand rails for stairs, necessary sleepers bedded in concrete, and for isolated furrings bedded in mortar. There shall be no air space between the top of any floor arches and the floor boarding.

By striking out the twelfth sub-paragraph and inserting in place thereof the following:— *Story of a Building.* That part of a building between the top of any floor level and the top of the floor or roof level next above.

By striking out the thirteenth sub-paragraph and inserting in place thereof the following:— *Basement.* That part of a building not more than forty per cent nor less than thirty-five per cent of which is below the mean grade of the curb of the principal street upon which the building abuts, or if it does not abut upon a street, then below the mean grade of the land adjoining the building. When the building abuts on two or more streets the commissioner shall determine which is the principal street.

By striking out the fourteenth sub-paragraph and inserting in place thereof the following:— *Cellar.* When there is a basement, that part or parts of a building below the basement. When there is no basement, that part of a building more than forty per cent of which is below the mean grade of the curb of the principal street upon which the building abuts, or if it does not abut upon a street, then more than forty per cent below the mean grade of the land adjoining the building. When the building abuts on two or more streets the commissioner shall determine which is the principal street. And by adding at the end thereof the following two new sub-paragraphs:— *The Number of Stories of a Building.* The number of stories of a building shall be the greatest number of stories which a building is in height above the curb of the street of lowest grade upon which the building abuts or if it does not abut on a street, above the lowest grade of ground adjoining the building. *First Story of a Building.* The first story of a building

is the first story more than sixty-five per cent of the height of which is above the mean grade of the curb of the principal street upon which the building abuts or if it does not abut upon a street, the first story of a building, more than sixty-five per cent of the height of which is above the mean grade of the land adjoining the building. Where there is a basement, that story next above the basement shall be the first story of a building. Where there is a cellar and no basement that story next above the cellar shall be the first story of a building. When the building abuts on two or more streets the commissioner shall determine which is the principal street.

SECTION 7. Section twelve of said chapter five hundred and fifty, as amended by section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twelve, by section two of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen and by section one of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the fourth paragraph, and by striking out the ninth paragraph and inserting in place thereof the following:—All chimneys of masonry construction shall have walls at least eight inches thick, or be constructed of four-inch brick walls with a suitable flue lining. Steel stacks shall be permissible under such conditions as the commissioner shall prescribe.

By striking out the eleventh paragraph and inserting in place thereof the following:—In every first and second class building or when the entire building could be built of third class construction, all of the outside finish shall be of incombustible materials, except window and door frames and finish about show windows. Where store fronts are carried up more than one story the columns and lintels shall be of, or finished with, incombustible materials; but in no case shall store fronts be carried more than two stories, unless the same are constructed and finished throughout with fire-proof material, except window and door frames. And by striking out the fifteenth paragraph and inserting in place thereof the following:—All walls, piers and columns acting as supports below the first floor of all buildings hereafter built shall be of masonry or metal except that in one or two family frame dwellings the exterior walls of basement or cellar stories may be constructed of wood providing the sills are not more than two feet above the surrounding ground. In all buildings hereafter erected, where outside means of egress are to be constructed, the building commissioner may order, when he deems it necessary, all the window openings in the same to be protected by metal frames and sash and wire glass, and all doors leading to such outside means of egress and the frames of the same to be of metal or metal covered. If doors are glazed, they shall be glazed of wire glass. Every kitchen, kitchenette or room used or adapted to be used for cooking purposes, either by coal, electric, gas or oil stoves, in every building hereafter erected, remodelled or enlarged, shall be not less than six feet in the least dimension, and shall have a floor area of not less than forty-eight square feet. Every such kitchen, kitchenette or room to be used or adapted to be used for cooking purposes shall be lighted and ventilated by window

openings in an external wall direct to the open air, or if such kitchen, kitchenette or room is of not more than seventy square feet in area upon a vent shaft, as defined in section forty-two, with no opening from any toilet room into said vent shaft, and such window openings shall equal in size in the aggregate to at least one eighth of the area of the floor of such room. When gas, coal or oil stove ovens, broilers or water heaters are connected to a ventilating flue, the flue shall be constructed of brick walls not less than eight inches thick, or with walls four inches thick lined with terra-cotta flue lining at least one inch thick. The building commissioner may order the basements of any mercantile building hereafter erected to be provided with a system of automatic sprinklers, approved by him as to location, arrangement, and efficiency when not otherwise so required by law. Any alteration shall conform to the requirements of this act for new buildings only to the extent of the alteration made.

SECTION 8. Section thirteen of said chapter five hundred and fifty, as amended by section three of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section three of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by chapter two hundred and seventy-seven of the Special Acts of nineteen hundred and sixteen and by chapter one hundred and four of the Special Acts of nineteen hundred and eighteen, is hereby further amended, by striking out the first paragraph and inserting in place thereof the following:— No alteration or repair of a wooden building within the building limits shall be made without a permit from the commissioner, and no permit to increase the height or ground area of such a building shall be granted, nor shall a permit for alteration or repairs be granted if the estimated cost of the proposed alteration or repairs exceeds one half of the fair value of the building at the time of the proposed alteration or repair, nor shall the total cost of all alterations or repairs hereafter made exceed one half of the fair valuation of the building at the time of the proposed alteration or repair.

By striking out, in the first line, of the second paragraph, the word "outside" and inserting in place thereof the words:— within or without,— and adding at the end of the paragraph the words:— Nothing in this section shall be deemed to prohibit the moving of wooden buildings within the building limits if the permits for moving have been granted by the building commissioner prior to June first, nineteen hundred and twenty-three,—so that said paragraph will read as follows:— No wooden building, within or without the building limits, shall be moved to any position within the building limits. Nothing in this section shall be deemed to prohibit the moving of wooden buildings within the building limits if the permits for moving have been granted by the building commissioner prior to June first, nineteen hundred and twenty-three.

By inserting in the first line of the ninth paragraph after the word "except" the word:— wooden,— and by adding at the end of said paragraph the words:— and wooden floors carrying tile or concrete for finish or bricknogging in wood stud partitions,— so that said paragraph will read as follows:— No masonry shall

rest upon wood, except wooden piles and mud sills and wooden floors carrying tile or concrete for finish or bricknogging in wood stud partitions.

By adding at the end of the twelfth paragraph the words:— unless the floor is made safe with fire resisting material satisfactory to the building commissioner,— so that said paragraph will read as follows:— No furnace or boiler for heating shall be placed upon a wooden floor unless the floor is made safe with fire resisting material satisfactory to the building commissioner.

By inserting in the first line of the sixteenth paragraph after the word “constructed” the words:— or maintained,— so that said paragraph will read as follows:— No closet of any kind shall be constructed or maintained under any staircase leading from the cellar or basement to the first story.

By striking out the twentieth paragraph and inserting in place thereof the following:— No material other than brick, tile, slate, metal, asbestos shingles, or slag, shall hereafter be used to cover or roof any building, or the tops, sides and outsides of the frames of any dormer window, or any other projection of the roof of any building, except wooden cornices on wooden frame buildings; but on flat roofs composition of asbestos and asphalt or tar and gravel may be used, or such other composition of fire-resisting roofing as the commissioner may authorize. Asphalt shingles may also be used; provided, that each package of shingles is inspected and labelled and that the shingles are made and laid in conformity with the regulations promulgated by the Underwriters’ Laboratories as modified from time to time by said Laboratories; and provided, further, that within the lines at present constituting the building limits of the city of Boston such asphalt shingles may be used only on buildings of third class construction, and that they shall not be used within the building limits of said city as they existed prior to September twenty-second, nineteen hundred and thirteen. Nothing in this section shall be construed to prohibit the use of materials approved by the commissioner for repairing any roof now covered with wooden shingles or to prohibit covering with such approved materials the roofs of buildings less than sixteen feet in height; provided, that the building is not altered in height or otherwise generally reconstructed. And by adding at the end of the twenty-first paragraph the words:— or approved metal covered frames and sash,— so that said paragraph will read as follows:— No part of any first or second class building hereafter erected, except the eaves and cornices, shall be nearer than five feet to the line of any adjoining lot on any side on which such building has any opening in the outer wall thereof unless all such openings are protected by wire glass set in metal frames and sash or approved metal covered frames and sash.

SECTION 9. Section fourteen of said chapter five hundred and fifty, as amended by section four of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the twenty-seventh paragraph and inserting in place thereof the following:— *Inspection of Concrete.*— The commissioner may require an applicant for a permit for the structural use of concrete or other similar aggregate

materials to have a competent inspector, satisfactory to the commissioner, at all times on the work while such materials are being mixed or deposited, and such materials shall be mixed and deposited in a manner approved by the commissioner. The inspector shall make daily reports to the commissioner on the progress of the work.

SECTION 10. Section sixteen of said chapter five hundred and fifty, as amended by section six of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—General Requirements.—No metal thinner than one fourth of an inch shall be used except for fillers or beams and channel webs; provided, that sheet metal, structural steel, and other structural shapes thinner than one fourth inch forming a part of the construction of stairs, skylights and roof houses, may be used in all buildings under such restrictions as the commissioner may prescribe. Connections shall be riveted or bolted and designed to develop the full strength of the member under the conditions of loading, even though the computed stress is less.

SECTION 11. Said chapter five hundred and fifty is hereby amended by striking out section eighteen and inserting in place thereof the following:—*Section 18.* No building, structure or part thereof shall be erected or altered to a greater height than two and one half times the effective width of the street or streets upon which the building or structure stands, and not exceeding one hundred and fifty-five feet in height in any case.

The effective width of such street or streets shall be measured from the face of the proposed building or structure to the lawfully established line of the street on the opposite side. If the street is of uneven width the width shall be the average width between the proposed building or structure and the lawfully established line of the street on the opposite side. The measurements shall be taken from the extreme ends of the face of the building and a point at the center, said measurements to be made at street level.

Whenever an effective width of a street is increased by an area or setback from the street, the building so set back may be increased in height to two and one half times the effective width of the street, not exceeding one hundred and fifty-five feet in height in any case.

Along a narrower street near its intersection with a wider street any building or any part of a building fronting on the narrower street, within one hundred feet from the side of the wider street, shall be governed by the height and roof setback regulations provided for the wider street. A corner building on such intersecting streets shall be governed by the height and roof setback regulations provided for the wider street for one hundred and fifty feet from the side of such wider street measured along such narrower street. Beyond such points such corner building shall be governed by the height and roof setback regulations provided for the narrower street. On streets less than forty feet in width the same height regulations shall be applied as on streets forty feet in width.

Nothing in this section however shall prohibit the erection or

alteration of any building, structure or part thereof to a height greater than two and one half times the width of the street or streets upon which the building or structure stands but not exceeding one hundred and fifty-five feet in any case, if the external wall of a height greater than two and one half times the width of such street shall be set back from the vertical face of the building in the ratio of one foot horizontally for each two and one half feet vertically.

Nothing in this act shall authorize the erection or alteration of a building to a height greater than that authorized by existing law, or by existing ordinances, rules, regulations or orders, within the district or districts designated "B" by the commission on height of buildings in the city of Boston, under authority of chapter three hundred and thirty-three of the acts of nineteen hundred and four, chapter three hundred and eighty-three of the acts of nineteen hundred and five and chapter three hundred and thirty-three of the Special Acts of nineteen hundred and fifteen, and any acts in amendment thereof or in addition thereto, or within the territory as to which special limitations were imposed by chapter four hundred and fifty-two of the acts of eighteen hundred and ninety-eight, as limited by chapter four hundred and fifty-five of the acts of nineteen hundred and twenty, chapter five hundred and forty-three of the acts of nineteen hundred and two, chapter four hundred and fifty-seven of the acts of eighteen hundred and ninety-nine, or chapter four hundred and sixteen of the acts of nineteen hundred and seven, or to a height greater than that limited in any restrictions lawfully imposed by the park commissioners of said city.

SECTION 12. Section twenty-one of said chapter five hundred and fifty, as amended by section nine of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by inserting after the word "feet" in the twenty-third line the following new sentence:—A light wall shall be known as that wall or walls of a building not in excess of one story and not exceeding twenty feet in height,—so that the second paragraph of said section will read as follows:—A detached column or pier footing supported by piling shall rest upon not less than three piles, but column or pier footings supported by proper and permanent masonry or steel construction which provides lateral support in all directions may each rest upon a single pile if the allowable load per pile is not exceeded. Light wall foundations may be supported by a single row of piles: *provided*, that the length of wall unsupported laterally by proper masonry or steel construction does not exceed ten feet. A light wall shall be known as that wall or walls of a building not in excess of one story and not exceeding twenty feet in height. All other foundation walls requiring piling shall rest upon at least two rows of piles, the rows to be at least two feet on centres for buildings up to thirty feet in height. For buildings, exceeding thirty feet in height, if not more than two rows of piles are used, the rows shall be spread not less than three feet on centres.

SECTION 13. Section twenty-three of said chapter five hundred and fifty, as amended by section eleven of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the twelfth

paragraph and inserting in place thereof the following:—Hollow block walls shall have the same minimum thickness as is required for brick walls, but shall not be used for exterior walls in buildings over three stories high nor in party walls over two stories high. Solid unreinforced concrete walls shall have the same minimum thickness as required for brick walls. Reinforced concrete walls shall be of the thickness and construction required by the commissioner, subject to the requirements of section fifteen and all acts in amendment thereof and in addition thereto. Hollow terra-cotta building blocks may be used in external and bearing walls other than party walls for buildings not over four stories high.

SECTION 14. Section twenty-seven of said chapter five hundred and fifty is hereby amended by striking out the second paragraph thereof and inserting in place thereof the following:—All party walls of skeleton construction shall have curtain walls of solid brick, not less than twelve inches thick in buildings over two stories high.

SECTION 15. Section thirty-one of said chapter five hundred and fifty is hereby amended by striking out, in the ninth and tenth lines, the words “a writing signed by the fire commissioner, and filed with”,—so as to read as follows:—*Section 31.* Openings for doorways in party walls shall not exceed one hundred square feet each in area, and each opening shall have two sets of fire doors separated by the thickness of the wall, hung in a manner satisfactory to the commissioner, except that the aggregate width of all openings in any story shall not exceed fifty per cent of the length of the wall in which such openings occur. Openings, not exceeding one hundred and forty-four square inches, constructed and protected as shall be approved by the commissioner, may be permitted in any wall or floor.

SECTION 16. Section thirty-two of said chapter five hundred and fifty, as amended by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section thirteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section two of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end of the fourth paragraph thereof the words:—except that for isolated columns on the exterior of one story buildings fire protection may be omitted,—so that said paragraph will read as follows:—About isolated columns on the exterior of buildings, the thickness of protection may be reduced to one inch, when the same is covered with an outer shell of cast iron or steel, except that for isolated columns on the exterior of one story buildings fire protection may be omitted. And by striking out sub-paragraph (c) of the eighth paragraph and inserting in place thereof the following:—Lintels under stone or brick unless over ten feet span.

SECTION 17. Section thirty-five of said chapter five hundred and fifty, as amended by section three of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—The first story or basement, or both the first story and basement of second and

third class buildings may be used for mercantile purposes; provided, that the walls and ceiling surrounding the mercantile portion are fire stopped as follows: The ceilings and exterior or party walls are to be wire lathed and cement plastered with three coats of cement plaster. The partitions surrounding the mercantile portion are to be fire stopped full height between the studs with brick, terra-cotta, or gypsum laid in cement and covered on both sides with metal lath and cement plaster three coat work. Any openings in these surrounding partitions are to be protected by metal covered self-closing doors. And by inserting after the word "wall" in the fourth line of the tenth paragraph the words:—or lot line,—by inserting after the word "wall" in the sixth line the words:—or lot line,—and by inserting after the word "wall" in the seventh line the words:—or lot line,—and by adding at the end of said paragraph the words:—as above provided,—so that said paragraph will read as follows:—Every living room in a building adapted for habitation shall have a window on the open air of an area not less than ten square feet and distant in a three story building not less than six feet from any opposite wall or lot line; distant in a four story building not less than eight feet from any opposite wall or lot line; distant in a five story building not less than ten feet from any opposite wall or lot line. This shall not apply to the construction of third class buildings, except the provision for a window on the open air of an area as above provided.

SECTION 18. Section thirty-six of said chapter five hundred and fifty, as amended by chapter five hundred and ninety-five of the acts of nineteen hundred and fourteen and by section sixteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following:—No use or occupation of a building or part of a building for a purpose other than that for which it was originally built and designed to be used, and no change in the use or occupation of a building or part thereof which will increase the floor load beyond the capacity prescribed for such use and occupation shall be made unless, upon application therefor, the commissioner shall issue a permit on condition that the proposed use will not endanger the safety of the building or the health or the safety of the occupants thereof.

SECTION 19. Section thirty-seven of said chapter five hundred and fifty is hereby amended by striking out, in the fifth line the words "and shall be", so as to read as follows:—*Section 37.* In all first or second class mercantile or manufacturing buildings over thirty feet in height, outside openings in party walls, or in any rear or side wall within twenty feet of an opposite wall or building, shall have metal frames and sashes glazed with wire glass or shall be protected by shutters. Such shutters shall be covered on both sides with tin or shall be made of other substantial fireproof material, and hung on the outside, either upon independent metal frames or upon metal hinges attached to the masonry, and shall be made to be handled from the outside, and one such shutter in each room shall have a protected hand-hold eight inches in diameter.

SECTION 20. Section thirty-nine of said chapter five hundred

and fifty, as amended by section seven of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen and by section seventeen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—*Underpinning*.—Every such wooden building hereafter erected or enlarged, the sills of which do not rest directly upon a foundation as above described but on an underpinning, shall have such underpinning made of brick, stone, concrete, concrete or terra-cotta blocks, and the underpinning, if of brick, concrete, concrete or terra-cotta blocks, shall be at least eight inches thick, and if of stone shall be at least sixteen inches thick. And by striking out the third paragraph and inserting in place thereof the following:—*Framing*.—Every wooden building hereafter erected or enlarged shall have all its parts of sufficient strength for their purposes; shall be built with posts, sills and girts, not smaller than four by six inches, or with ledger boards; shall have no studs more than twenty inches on centres for buildings more than one story high, with all angles between partitions, or between partitions and walls, blocked strongly, giving what is known as “blocked corners”; shall have every post securely braced; shall have all spaces back of all ledger boards tightly filled with at least two inch furring cut in between studs; and shall have all posts and girts properly mortised, tenoned, and pinned in each story, and if ledger boards are used, they shall be at least one inch by six inches gained full size into posts and studs, all other parts of frame to be securely nailed or pinned together.

SECTION 21. Section forty of said chapter five hundred and fifty, as amended by section two of chapter seven hundred and four of the acts of nineteen hundred and thirteen and by section one of chapter two hundred and forty-eight and section eight of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, is hereby further amended by striking out the third paragraph and inserting in place thereof the following:—Wooden buildings erected for purposes other than habitation shall not be situated within five feet of the lot lines unless the side wall on such lines be of brick or concrete carried above the roof at least twelve inches and capped with a metallic covering, all openings in such outer walls shall be protected by wire glass set in metal frames and sash. If built on land of the same owner the buildings shall be not nearer than ten feet to any other building, eaves and cornices excepted, unless wall on side toward the lot line or adjoining building is constructed as a brick or concrete wall not less than eight inches thick and carried twelve inches above the roof with all openings therein protected by wire glass set in metal frames and sash. No wooden building shall be moved, increased in area or altered to be nearer than five feet to the lot lines or ten feet to any other wooden building on land of the same owner.

SECTION 22. Said chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out section eighty-one and inserting in place thereof the following:—*Section 81*. Nothing in this act shall be construed to prohibit the use of any part of a theatre building for stores, offices or for

habitation, provided that the parts so used for a theatre shall be built with exits to the street entirely distinct from the rest of the building and shall be separated from the rest of the building by solid partition walls and floors, walls not to be less than twelve inches in thickness, without any openings in the same.

SECTION 23. Section eighty-six of said chapter five hundred and fifty is hereby amended by striking out the third paragraph and inserting in place thereof the following:— Illuminating fixtures and glass on illuminating fixtures over the auditorium shall be suspended and secured in a manner approved by the fire commissioner.

SECTION 24. Section one hundred and five of said chapter five hundred and fifty, as amended by section one of chapter three hundred and seventy of the acts of nineteen hundred and twelve, by chapter fifty of the acts of nineteen hundred and thirteen and by section eleven of chapter sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fourth line, the word "fireproof" and inserting in place thereof the words:— first class, by striking out, in the fifth line, the word "throughout", by striking out, in the seventh line, the word "adjacent" and inserting in place thereof the word:— principal,— by inserting after the word "street" in the same line the words:— upon which it abuts or of the adjoining land,— so that the first paragraph will read as follows:— Every building hereafter erected with a hall or assembly-room to contain a public audience of more than eight hundred persons, or with more than one superimposed gallery or balcony, shall be of first class construction; except that halls or assembly-rooms, the mean level of the main floor of which is not more than five feet above the grade of the principal street upon which it abuts or of the adjoining land, may have roofs of second class construction. And by striking out the second paragraph and inserting in place thereof the following:— Every building hereafter erected with a hall or assembly-room to contain an audience of more than six hundred persons, the main floor of which is raised more than fifteen feet above the level of the curb of the principal street upon which it abuts or of the adjoining land, shall be of first class construction throughout.

SECTION 25. Section one hundred and twenty-two of said chapter five hundred and fifty is hereby amended by adding at the end thereof the following new paragraph:— All buildings shall have leaders sufficient to discharge the roof water in such a manner as not to flow upon any public way or any neighboring property. Such leaders may project into a public way not over seven inches.

SECTION 26. Section one hundred and twenty-five of said chapter five hundred and fifty, as affected by chapter one hundred and forty-eight of the General Laws, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following:— The commissioner may, from time to time, after public notice and hearing, prescribe the conditions on which furnaces, boilers, or other steam generators and hot water heaters may be maintained in buildings, and, if any person interested objects to such conditions and appeals from his decision establishing the same, the appeal shall be referred to the board of appeal, and thereupon said board shall prescribe the conditions.

SECTION 27. Section four of chapter three hundred and eighty three of the acts of nineteen hundred and five, as amended by chapter one hundred and fifty-six of the Special Acts of nineteen hundred and nineteen and by chapter one hundred and seventy-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifth line, the words "not used for purposes of habitation" and inserting in place thereof the words:—, nor shall such portions of buildings be occupied,— and by striking out all of the first paragraph after the word "signs" in the eighth line and inserting in place thereof the words:— and roof houses except as otherwise prohibited by law,—so that the first paragraph of said section will read as follows:—*Section 4.* No limitations of the height of buildings, or of the roofs thereof, in the city of Boston shall apply to churches, steeples, towers, domes, cupolas, arched or vaulted roofs, belfries or statuary, nor shall such portions of buildings be occupied, nor to chimneys, gas holders, coal or grain elevators, open balustrades, skylights, ventilators, flagstuffs, railings, weather vanes, soil pipes, steam exhausts, signs, and roof houses except as otherwise prohibited by law.

SECTION 28. This act shall take effect upon its passage.

Approved May 25, 1923.

Section 11, 255 Mass. 177, 182, 186.

Section 27, 287 Mass. 500, 509.

1923.—CHAPTER 476.

AN ACT GRANTING PREFERENCE UNDER THE CIVIL SERVICE TO WIDOWS REGISTERING FOR THE POSITION OF SCRUB WOMAN OR HELPER IN THE LABOR SERVICE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Widows of men who died while in the service of the city of Boston, who register with the department of civil service and registration for employment as scrub women or helpers in the labor service of said city, if found qualified, shall be placed on the eligible list for the class for which they register ahead of all other applicants. All other widows who so register for such employment in said city shall, if found qualified, be placed on the eligible list ahead of all other applicants, except the class above specified. The names of widows eligible for scrub women and helpers shall be certified for labor service in said city in preference to other persons eligible, according to the method of certification prescribed by the civil service rules.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1923.

1923.—CHAPTER 480.

AN ACT PROVIDING FOR THE EXTENSION OF RAPID TRANSIT FACILITIES IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The following words as used in this act shall, unless the context otherwise requires, have the following meanings:—

"City" shall mean the city of Boston.

“Company” shall mean the Boston Elevated Railway Company, its successors and assigns. During the period of public control the board of trustees of the Boston Elevated Railway Company shall have and exercise all the powers of the company under this act.

“Department” shall mean the transit department of the city of Boston, or such board or officers as may succeed to its rights and duties.

“Premises” shall mean the property authorized to be acquired by the department under the provisions of section two, except the extension of the Dorchester tunnel and incline.

“Equipment” shall mean the property which the department is authorized to provide and furnish under the provisions of section three.

Whenever any act is required or authorized to be done or performed by the department, such action shall be in the name of and on behalf of the city of Boston, and whenever any action is required or permitted to be taken by the city, such act shall be performed by the department, unless otherwise expressly provided.

SECTION 2. The department shall extend the Dorchester tunnel from its present terminus at or near Andrew square in that part of the city known as South Boston, through and under Boston street, private land, land now or formerly of the Old Colony Railroad Company, Power street and Dorchester avenue, bringing said tunnel to the surface by an incline south of Dorchester avenue and parallel to and on the westerly side of the railroad tracks operated by the New York, New Haven and Hartford Railroad Company, and known as the Boston division, at a point between Dorchester avenue and Columbia road, and shall acquire, lay out and construct a line of surface railway connecting with such extension at said incline, and thence running substantially parallel to, along or westerly of the location of said railroad tracks over or under, along and across public and private ways and lands to the junction of said tracks near the present Harrison square station with the tracks operated by said New York, New Haven and Hartford Railroad Company, known as the Shawmut branch; thence running upon and along the location of said Shawmut branch to a point at or near the junction of River street and Blue Hill avenue in that part of the city known as Mattapan. The department shall acquire, lay out and construct at or near Fields Corner, so-called, between Dorchester avenue and Geneva avenue in that part of the city known as Dorchester, or at such other points beyond Fields Corner as may be agreed upon between the company and the department suitable yards, tracks and sheds for the storage, inspection and repair of trains and cars, and shall also lay out and construct suitable areas, enclosed or otherwise, stations and shelters at or near Columbia road, Savin Hill avenue and at such other points as may be agreed upon between the company and the department and an enclosed transfer area and station for the convenient interchange of passengers between trains and cars at or near Fields Corner. For the purpose of avoiding objectionable curves or any practical or legal obstacles the department may vary or alter the route herein prescribed, and may for the purpose of carrying out the work herein

authorized, acquire, lay out and construct or alter approaches, sidings, bridges, viaducts, inclines, yards and incidental railway structures.

The department may make such alterations and changes and additions and extensions to the Dorchester tunnel, at or south of Andrew square, as the department may deem necessary or desirable, and the cost of any alterations, changes, additions and extensions to said tunnel authorized under this act shall be deemed to be and be a part of the cost of said tunnel.

If the said line of surface railway shall run over the location, or a portion thereof, of said main line railroad tracks between Andrew square and Harrison square the city shall acquire a right of way therefor from the said railroad companies, either by purchase or by eminent domain under chapter seventy-nine of the General Laws, and in case of the latter the said corporations shall be entitled to recover compensation for any injury to their property to the same extent as private persons from whom takings may be made for the purposes of said line of surface railway. Said compensation may be made in whole or in part in land, bridges, structures, materials or labor, including alterations on said portion of the main line as may be necessary and proper to put said railroad companies in as good position as they now are for conducting their business, if the parties so agree. The portion of said line of surface railway which may be located upon said main line right of way shall be so designed and constructed that the said railroad companies, or their successors, shall have suitable freight connections with the sidings and freight yards now in use.

If the said line of surface railway shall be constructed in whole or in part upon said Shawmut branch, the city shall acquire by purchase or by eminent domain under said chapter seventy-nine the whole of said Shawmut branch except such part of the portion between Shawmut junction and Central avenue or such interests therein as the department shall determine to exclude from such purchase or taking.

Said line of surface railway shall be so designed and constructed or so operated that the said railroad companies, or their successors, shall have suitable freight connections from the junction of their existing track from Neponset to Shawmut junction with said Shawmut branch to the sidings now in use on said branch between Shawmut junction and Central avenue.

When the Dorchester tunnel extension and said line of surface railway to Mattapan station are completed and ready for operation said railroad companies shall abandon all passenger traffic upon said Shawmut branch and at the Crescent avenue and Savin Hill stations, so-called, on said main line, and shall thereafter be relieved of all duties and obligations relating thereto, and thereupon reasonable and adequate passenger service over said Shawmut branch shall be furnished by the lessee of the premises. Until then said railroad companies shall operate thereat and thereon, except as may be authorized or required by the department of public utilities, at such rental, after the taking or purchase, as shall be agreed upon between the city and the New York, New Haven and Hartford Railroad Company. No taking or purchase by the city from the railroad companies as herein provided shall be made until

the department of public utilities shall have formally approved some plan under which reasonably frequent and adequate rapid transit passenger trains or cars can be safely operated over the track from Welles avenue through Shawmut junction to Mattapan. Nothing in this act shall be construed to relieve or prevent the New York, New Haven and Hartford Railroad from operating its freight service from Neponset to Central avenue.

SECTION 3. The department shall provide, equip and furnish that portion of the line of railway authorized by the preceding section extending from the southerly end of said incline to the terminal at Mattapan, including terminals, stations, shelters, enclosed areas, yards and structures appurtenant thereto, with all necessary ballast, tracks, rails, fastenings, frogs, switches, switch stands, ties, tie plates, wires, poles, signals, conduits, lighting and power distribution systems, fences, barriers, station equipment and incidental apparatus, and in general shall completely equip and furnish the same with all property, appliances, apparatus, machinery, furniture and fixtures proper and adapted thereto and necessary for the convenient maintenance and operation of a railway therein and thereon to Welles avenue; and thence to Mattapan for the convenient maintenance and operation of such type of service as may from time to time be determined upon by the company in compliance with the preceding section, and for the safety and accommodation of passengers using the same.

The extension of the Dorchester tunnel authorized by the preceding section shall, when constructed, be equipped by the company in the same manner in which the rest of said tunnel is equipped.

SECTION 4. The department shall, immediately after the passage of this act, make such preliminary investigations, surveys and plans as it may deem expedient, and to that end may enter upon any lands, and place and maintain marks therein, and may make excavations and boring and do all other acts necessary for such investigations and surveys. The department may expend such sums as it deems necessary therefor. The expenses incurred in making such preliminary investigations, surveys and plans shall be paid from the loans authorized by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven, but if and when the construction is begun hereunder the amount so expended shall be transferred and charged to the cost of such construction. The work of construction, however, shall not be begun until the department has filed with the commissioner of public works of the city a plan signed by the department showing the proposed route and the location thereof, the general form and method of construction, the location and equipment of proposed tracks, stations and approaches, and the alignment and grade, which plan shall be submitted to the company for its examination, nor until the contract hereinafter mentioned for the use of the premises and its equipment has been executed. Any such plan so filed may be altered at any time before the execution of said contract by a new plan signed, submitted and filed in like manner; but after execution of said contract no changes shall be made without the consent of the company thereto in writing.

The work of construction shall not be begun until such plan or alteration thereof shall, so far as it covers work in, or directly affecting the operation of, the said portions of the main line tracks between Andrew square and Harrison square have received the approval of said railroad companies, or of the department of public utilities, nor shall any such changes be made in such plan after the beginning of construction without such approval.

SECTION 5. The department is hereby authorized to execute a contract with the company upon the terms and conditions herein prescribed for the use of the premises and equipment by the company for the running of trains and cars therein and thereon, and for such other uses as the department and the company may agree upon, for a term which shall extend from the beginning of the use of the premises and equipment to the time of the termination of the present lease of the Dorchester tunnel, at a rental during said term at the rate of four and one half per cent per annum upon the fair and reasonable cost, as determined by the department of public utilities, of the premises and equipment; provided, however, that the annual rental shall be sufficient to provide for an amount equal to one half of one per cent of said cost in addition to the annual amount of interest on the bonds issued to pay for said cost, but not less than said four and one half per cent in any event. The use of the premises and equipment by the company shall begin upon certification by the department of public utilities that the premises and equipment are in safe and proper condition for operation. The contract shall provide that all equipment shall be maintained and kept by the company in proper repair and condition, and shall contain such provisions for depreciation, obsolescence and losses as may be agreed upon by the department and the company, or, in case of difference, as the department of public utilities may determine. The contract shall also contain such other provisions and conditions not affecting the term or rental, and following the form of the contract for the use of the Dorchester tunnel so far as the same may be applicable, as the department and the company may agree upon, or, in case of difference, as the department of public utilities may determine.

The cost of the premises and equipment shall be deemed to include, except as otherwise provided herein, all expenditures incurred in acquisition and construction, including damages, expenses, such proportion of the salaries of the department as may in its opinion be properly chargeable thereto, and interest on the debt incurred for the acquisition and construction of the premises and equipment prior to the beginning of the use by the company.

SECTION 6. For the purpose of carrying out the provisions of this act, the department may use public ways and lands without compensation therefor, and may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, for and on behalf of the city, lands in fee and easements, estates and rights in land, including any and all lands, easements and rights owned by any railroad company, and the right to go under or over the surface thereof or through or under buildings or parts of buildings thereon; and such taking in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by

title derived under eminent domain or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by the construction authorized by this act. A taking under this section of an easement or other estate or right in a given parcel of real estate, whether such parcel consists of unimproved land or of land and buildings, may be confined to a portion or section of such parcel fixed by planes or other surfaces of division below, above or at the surface of the soil; and in such case no taking need be made of upper or lower portions or sections, except of such easements therein, if any, as the department may deem necessary.

SECTION 7. The department may sell the buildings and other structures upon any lands acquired by it, or may remove the same; and shall sell, if a sale be practicable, or if not shall lease, any lands or rights or interests in land or other property acquired for the purposes of this act whenever the same shall, in the opinion of the department, cease to be needed for such purposes. The proceeds of such sales and leases, and the fair valuation of any such lands or other property no longer needed for the said purposes but not actually sold, as agreed upon by the department and the company, or, in case of difference, as determined by the department of public utilities, shall, for the purpose of ascertaining the rental thereof, be deducted from the cost of the premises, except that the proceeds from the sales or leases of land acquired for the Dorchester tunnel extension shall be credited to the cost of the Dorchester tunnel.

SECTION 8. Any person sustaining damage by reason of property or rights in property taken or injured by the department under authority of this act, except public ways or lands, shall be entitled to recover the same from the city under said chapter seventy-nine. The members of the department shall not be liable personally for any such damage.

SECTION 9. The department may order the removal or relocation of any surface tracks, and the removal or relocation of any conduits, pipes, wires, poles or other property located in public ways or places which it deems to interfere with the construction or operation of the premises authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property in such public ways or places, and the owner of any such structures shall comply with the said orders without expense to the city. If any such owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles or other property and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any such structures in or upon private lands may be removed and relocated by the department, or if removed and relocated by the owner thereof the reasonable expense shall be paid to him by the department. Any gas or electric lighting company may shut off

the gas or current from any pipes or wires affected by any acts done hereunder, so far as may be necessary to avoid danger of escape or explosion of gas, or other public danger.

No provisions in this section shall be held to be in derogation of the provisions of section two relative to the rights of the Old Colony Railroad Company or of the New York, New Haven and Hartford Railroad Company in case of a taking or use of the portion of their main line tracks specified in said section two.

SECTION 10. All work done under this act, under or near public streets and places, shall be conducted, so far as may be practicable, in such manner as to leave such streets and places, or a reasonable part thereof, open for traffic between the hours of seven in the forenoon and six in the afternoon of each secular day, except legal holidays.

SECTION 11. The treasurer of the city shall from time to time, on request of the department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall be designated on their face Dorchester Rapid Transit Bonds; shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premiums realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by the department or by the city in carrying out the provisions of this act. The proceeds from any sale or sales of lands or rights taken or acquired by purchase or otherwise shall be used for the same purpose as the rentals of said premises and equipment, or shall be used for the payment of expenditures incurred for construction, as the department may determine, and all rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall be used in the first instance for the payment of interest on the bonds herein authorized, and the balance shall be used for the payment of the principal of said bonds. Any interest received by the city upon the proceeds of the bonds prior to the expenditure of such proceeds shall be credited against interest during construction in ascertaining the net cost of the premises and equipment. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the said premises and equipment, and all rents, tolls, income and profits from all contracts entered into by it for the use of said premises or equipment or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 12. In respect to the use and operation of the premises and equipment the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it. To provide for proper connections with the premises

the company may make such alterations or extensions of its tracks and locations as the department may approve.

SECTION 13. The contract for the use of the premises and equipment executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or any political sub-division thereof may at any time have to take the railway properties of the Boston Elevated Railway Company or any right which the commonwealth or any political sub-division thereof has under section sixteen of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen. In the event of such taking the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 14. Section four of this act shall take effect upon its passage. The remaining provisions of this act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, and by the Boston Elevated Railway Company by vote of its board of directors, and upon agreement by the Old Colony Railroad Company as owner and the New York, New Haven and Hartford Railroad Company as lessee to accept in payment for said Shawmut branch, free of all encumbrances except such right for freight connections as may be reserved under section two, whether said branch shall be acquired by eminent domain, purchase or otherwise, such sum, not exceeding one million dollars, as the department of public utilities after public hearing shall have previously determined to be just and reasonable and upon agreement by said companies that there may be deducted or repaid from such sum the amounts of any judgment or judgments, in any proceedings for the taking of the whole or any part or parts of said branch in fee, in favor of any other person for any interest at the date of the taking in the property so taken; provided that such acceptances and agreement are made on or before May first, nineteen hundred and twenty-four. Such acceptances and such agreement shall be evidenced by certificates thereof filed with the secretary of the commonwealth.

SECTION 15. All construction work authorized under this act shall be open to competitive bidding, shall be advertised in a reasonable number of newspapers for proposals for the performance of such work, and shall be awarded to the lowest responsible and eligible bidder, and written contracts shall be made with such bidder, — except to the extent that it may prove impracticable because of reasons special and peculiar to this work and may be otherwise authorized, in writing, by the department of public utilities.

Approved May 25, 1923.

Accepted by City Council September 12, 1923.

Accepted by the Company December 31, 1923.

Section 2, 272 Mass. 372, 377; 278 Mass. 274, 278; 282 Mass. 204, 207.

Section 6, 278 Mass. 274, 278; 282 Mass. 204, 207.

Section 7, 278 Mass. 274, 278.

Section 8, 282 Mass. 204, 206.

Section 9, 282 Mass. 204, 207.

Section 14, 282 Mass. 204, 207.

See 1894, ch. 548, s. 23; 1918 (S), ch. 159; 1925, ch. 193; 1925, ch. 206.
272 Mass. 372, 375, 378; 278 Mass. 274, 276, 278; 282 Mass. 204,
206, 207.

1923.— CHAPTER 488.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN
THE CITY OF BOSTON.

(Amends 1919 (S), ch. 206, s. 1, clauses "b" and "c" and increases
tax limit.)

Accepted by the Mayor and City Council June 12, 1923.

Accepted by School Committee June 4, 1923.

1923.— CHAPTER 489.

AN ACT TO PROVIDE FOR THE WIDENING AND CONSTRUCTION OF
CAMBRIDGE STREET AND COURT STREET IN THE CITY OF BOSTON.

(Cambridge Street and Court Street Bonds — Act of 1923.)

Section 1, Amended 1924, ch. 403.

1924.— CHAPTER 63.

AN ACT INCREASING THE COMPENSATION OF THE APPOINTIVE MEM-
BER OF THE BOARD OF EXAMINERS OF GAS FITTERS IN THE CITY
OF BOSTON.

Be it enacted, etc., as follows:

Chapter two hundred and sixty-five of the acts of eighteen
hundred and ninety-seven is hereby amended by striking out sec-
tion three and inserting in place thereof the following:— *Section 3.*
The board of examiners shall consist of the building commissioner,
the health commissioner, who shall be ex officio members of said
board and serve without compensation, and a third member who
shall have been continuously engaged in business as a practical gas
fitter during the five years next preceding the date of appointment.
Said third member shall be chosen by said health commissioner
annually, for a term ending on the first day of May of the year next
ensuing, and he shall be allowed a sum not exceeding ten dollars for
each day of actual service, to be paid from the treasury of the city
of Boston.

Approved February 29, 1924.

1924.— CHAPTER 70.

AN ACT AUTHORIZING THE CITY OF BOSTON TO TRANSFER TO ITS
PARK DEPARTMENT FOR PLAYGROUND PURPOSES CERTAIN LAND
NOW UNDER THE CONTROL OF ITS HOSPITAL DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. That part of a certain lot of land in the Dorchester
district of the city of Boston, owned by said city and now held by
its hospital department for the purposes of the Convalescent Home,
which lies northeast of a northwesterly extension of the northeast

line of said lot running between it and Dorchester park, so-called, and which is not now necessary for hospital purposes, shall hereafter be devoted to playground purposes and shall be under the control of the park department of said city.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of said city, the trustees of the Boston City Hospital and the park commissioners of said city.

Approved March 4, 1924.

Accepted by Mayor and City Council February 10, 1925.

Accepted by Hospital Trustees January 27, 1925.

Accepted by Park Commissioners February 6, 1925.

See 1858, ch. 113; 1875, ch. 185.

1924.—CHAPTER 89.

AN ACT PROVIDING RETIREMENT ALLOWANCES FOR EMPLOYEES OF THE BOSTON AND CAMBRIDGE BRIDGES COMMISSION, SO-CALLED.

Be it enacted, etc., as follows:

SECTION 1. Except as hereinafter provided, regular and permanent employees of the commission appointed under section fourteen of chapter four hundred and sixty-seven of the acts of eighteen hundred and ninety-eight, commonly known as the Boston and Cambridge Bridges Commission, in this act called the commission, shall, for the purpose of providing retirement allowances, be deemed to be employees of the city of Boston within the meaning of section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, known as the Boston Retirement Act, and shall have all the rights, benefits and privileges and shall be subject to all the conditions and restrictions specified in said act in respect to employees of the city of Boston as therein defined who are members of the retirement system established by said chapter. Every such employee in the service of said commission on the effective date of this act shall have the option of becoming a member of said retirement system or not, and shall be deemed to have elected to become a member thereof upon the expiration of sixty days after said date, unless within said period he notifies the Boston retirement board in writing that he does not wish to become such a member. Such an employee may become a member of said system at any time within said period of sixty days upon notice in writing to said board. In relation to its employees who become members of said system, the commission shall be deemed the head of a department within the meaning of said chapter five hundred and twenty-one.

SECTION 2. The treasurer of the city of Boston and the treasurer of the city of Cambridge shall each withhold four per cent of the regular compensation due from his city on each pay day to each employee of the commission who is a member of the Boston retirement system and pay the same to the Boston retirement board, who shall deposit the same in the annuity savings fund, established under section six of said chapter five hundred and twenty-one, to the credit of such member.

SECTION 3. Such sums as shall be necessary to provide all pension payments on account of employees of the commission who become members of the retirement system shall be provided equally by the cities of Boston and Cambridge, and the treasurer of the city of Boston and the treasurer of the city of Cambridge shall pay said sums to the said retirement board, to be deposited in its pension accumulation fund, at such times and in such instalments and amounts as shall be required by the said retirement board, in conformity with the provisions of said chapter five hundred and twenty-one. Such payments shall be considered as part of the expense of maintaining and operating the respective bridges under the control of said commission in connection with which said employees are employed, but no statutory tax limit shall apply to the raising of any funds necessary to comply with this section.

SECTION 4. Any person employed by the commission on February first, nineteen hundred and twenty-three, who becomes a member of the Boston retirement system on or before the expiration of sixty days after the effective date of this act, as provided in section one, shall, for the purpose of determining the amount of his pension payable under subsection (c) of section ten of said chapter five hundred and twenty-one, be deemed to have been an employee of the city of Boston on February first, nineteen hundred and twenty-three and to have become a member of said system within one year from said date.

SECTION 5. Any amounts paid or payable by said cities under the provisions of the workmen's compensation law, in pursuance of chapter one hundred and twenty-five of the General Acts of nineteen hundred and eighteen, to an employee of the commission who is a member of the said retirement system or to the dependents of any such member on account of his death or disability shall be offset against and payable in lieu of any benefits payable out of the funds provided by said cities under the provisions of this act on account of the death or disability of such member. If the value of the total commuted benefits so paid or payable is less than the reserve on the pension otherwise payable under this act, the value of such commuted benefits shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

SECTION 6. On and after January first, nineteen hundred and twenty-six, the services of every employee of the commission, not a veteran of the civil war, of the Spanish War or Philippine Insurrection or the World War as defined in section fifty-six of chapter thirty-two of the General Laws, who attains or has attained the age of seventy and who is not then a member of the said retirement system, shall terminate forthwith.

SECTION 7. This act shall take effect upon its acceptance by vote of the city council of each of the said cities of Boston and Cambridge, subject to the provisions of the respective charters of said cities.

Approved March 10, 1924.

Accepted by Boston May 5, 1924.

Accepted by Cambridge May 9, 1924.

1924.—CHAPTER 120.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE PURPOSE OF PROVIDING FUNDS FOR ALTERATIONS IN THE TREMONT STREET SUBWAY AND THE EAST BOSTON TUNNEL.

Be it enacted, etc., as follows:

SECTION 1. The treasurer of the city of Boston shall from time to time, at the request of the transit department of said city, issue and sell at public or private sale bonds of said city in excess of the issues authorized by chapter five hundred and forty-eight of the acts of eighteen hundred and ninety-four and chapter five hundred of the acts of eighteen hundred and ninety-seven and acts in amendment thereof and in addition thereto, to the amount required to pay the cost and expense of alterations in the Tremont street subway and the East Boston tunnel as authorized by section sixteen of chapter seven hundred and forty-one of the acts of nineteen hundred and eleven, as amended by section one of chapter three hundred and seventy-six of the Special Acts of nineteen hundred and fifteen. Such bonds shall be designated on their face, Rapid Transit Loan, shall bear interest payable semi-annually at such rate as the mayor and treasurer of said city may determine, shall be registered or with interest coupons attached as said treasurer may deem best, and shall not be included in determining the legal limit of indebtedness of said city. Said treasurer shall apply the proceeds of such bonds to the cost and expense of alterations in the Tremont street subway and the East Boston tunnel as authorized as aforesaid, and shall keep a separate account of the bonds issued and of the cost and expenses incurred in the alterations of said subway and tunnel.

SECTION 2. This act shall take effect upon its passage.

Approved March 20, 1924.

See 1894, ch. 548, s. 23.

1924.—CHAPTER 136.

AN ACT RELATIVE TO THE LIGHTING OF PUBLIC HALLS AND MAIN STAIRWAYS IN CERTAIN TENEMENT HOUSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended in section forty-five by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by sections one and two of chapter four hundred and forty of the acts of nineteen hundred and twenty, by section seven of chapter two hundred and eighty-nine and by chapter four hundred and seventy-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section forty-five, and inserting in place thereof the following:—*Section 45.* Every house for habitation, except a single family dwelling, hereafter erected more than three stories in height or covering an area of more than

thirty-five hundred square feet shall have a staircase designated by the commissioner, of incombustible material extending from the entrance to the roof and with a pent house constructed of incombustible material. And the said staircase shall not extend below the entrance floor level, except as an exit to the outside and shall have no opening into basement or cellar and shall be enclosed in walls constructed of incombustible material. In addition to the above staircase, all such buildings shall have a staircase enclosed as described in section forty-seven. All door openings from all stair enclosures shall have metal or metal covered self-closing doors and metal or metal covered frames. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.

Each stairway shall have an entrance on the entrance floor from a street or alley or open passageway or from an outer court, or from an inner court which connects directly with a street or alley or open passageway. All stairs shall be constructed with a rise of not more than eight inches, and with treads not less than nine inches wide and not less than three feet long in the clear. Where winders are used all treads at a point eighteen inches from the strings on the wall side shall be at least ten inches wide.

In every tenement house all stairways shall be provided with proper balusters and railings kept in good repair. No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in this section.

In all tenement houses of second and third class construction, hereafter erected, being more than three stories high and containing more than ten suites, the basements or cellars, kitchenettes, stairway enclosures and elevator, light, ventilating and dumb-waiter shafts shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may require the basement or cellar of a tenement house of first class construction, more than three stories high and containing more than ten suites, where in his opinion a fire hazard exists, to be equipped with a system of automatic sprinklers approved by him as to situation, arrangement and efficiency.

Basements or cellars in existing tenement houses of second and third class construction, being more than three stories high and containing more than ten suites, shall be provided with a system of automatic sprinklers approved as to situation, arrangement and efficiency by the building commissioner. The building commissioner may in his discretion also require that all doors leading from rear stairway enclosures on each floor of such tenement houses shall be suitably protected by fire proofing material.

In existing tenement houses of first, second and third class construction more than three stories high and containing more than ten suites, where the first floor is of first class construction and in any such tenement house in which any stairway, enclosure, elevator, light, ventilating or dumb-waiter shaft is fireproof, as defined in section thirty-three, as amended by section fourteen of chapter one hundred and seventy-nine of the Special Acts of nine-

teen hundred and eighteen, the commissioner may waive the provisions of this section in respect to automatic sprinklers, except in cases, where, in his opinion, a fire hazard exists.

Public halls and main stairways in all tenement houses, now existing or hereafter erected, three stories or more in height and accommodating four or more families who are served by a common main stairway and hall shall be provided with proper and sufficient lights to be kept lighted during the night. The words "main stairway", as used in this section, shall mean the staircase so designated by the building commissioner.

In every tenement house now or hereafter existing which is more than three stories high and has more than eight suites, all elevator, vent and dumb-waiter shafts and stairways shall be enclosed in the basement or cellar by masonry walls not less than eight inches thick, or by two-inch solid metal and plaster partitions with fireproof self-closing doors.

Approved March 25, 1924.

263 Mass. 51, 54; 265 Mass. 233, 235; 1937 Adv. Sh., 979, 980.

1924.—CHAPTER 142.

AN ACT CHANGING THE NAME OF THE BOSTON NORMAL SCHOOL TO THE TEACHERS COLLEGE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The public school called the Boston Normal School and maintained by the school committee of the city of Boston under authority of chapter one hundred and sixty-seven of the acts of eighteen hundred and seventy-four shall hereafter be known as The Teachers College of the City of Boston; and said school committee shall have the same power to maintain and conduct said college as it now has to maintain and conduct the Boston Normal School.

SECTION 2. Said school committee shall have the same authority to grant degrees under chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-two to graduates of The Teachers College of the City of Boston that it now has in respect to graduates of the Boston Normal School.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1924.

1924.—CHAPTER 220.

AN ACT REPEALING AN ACT PROVIDING FOR THE TAKING FOR EDUCATIONAL PURPOSES, OF THE PICTURE ENTITLED "THE SYNAGOGUE", NOW IN THE BOSTON PUBLIC LIBRARY.

See 1922, ch. 541.

1924.—CHAPTER 249.

AN ACT RELATIVE TO THE DISPOSITION OF SUMS PAYABLE TO THE CITY OF BOSTON BY THE COMMONWEALTH IN REIMBURSEMENT FOR PENSIONS PAID BY SAID CITY TO CERTAIN RETIRED SCHOOL TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighty-nine of the Special Acts of nineteen hundred and sixteen is hereby amended

by striking out section one and inserting in place thereof the following:— *Section 1.* The sums payable by the commonwealth to the city of Boston under section sixteen of chapter thirty-two of the General Laws as reimbursement for pensions paid by the city to retired school teachers shall, in the case of all teachers retired by the Boston retirement board under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two and acts in amendment thereof, be paid into the pension accumulation fund established by section six of said chapter five hundred and twenty-one, and, in the case of all teachers retired by the school committee of said city under chapter five hundred and eighty-nine of the acts of nineteen hundred and eight and acts in amendment thereof, be paid into the permanent school pension fund established by section one of said chapter five hundred and eighty-nine.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1924.

1924.— CHAPTER 251.

AN ACT AMENDING THE ACT PROVIDING FOR ANNUITIES AND PENSIONS FOR EMPLOYEES OF THE CITY OF BOSTON AND COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by inserting after the word "account" in the thirty-fifth line the following new sentence:— The sums payable by the commonwealth to the city of Boston on account of teachers retired under the provisions of this act shall be paid into the pension accumulation fund and used to reduce the amount which would otherwise be required for the normal contributions from the city of Boston for the years in which such payments are made,— so as to read as follows:— *Section 6.* The funds hereby created are the annuity savings fund, the pension accumulation fund and the retirement reserve fund.

The annuity savings fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city of Boston shall withhold four per cent of the regular compensation due on each pay day to all employees who are members of this retirement system; provided, however, that a member who is a contributing member of the teachers' retirement fund, as established by chapter two hundred and thirty-seven of the acts of nineteen hundred, if he shall so request in writing to the treasurer, shall have his contributions to this retirement system reduced by the amount deducted from his salary under the provisions of said chapter two hundred and thirty-seven. The amounts so withheld shall be transferred immediately thereafter to the retirement board and credited to the account of each member so contributing and shall be paid into and become a part of said annuity savings fund.

The pension accumulation fund shall be the fund in which shall be accumulated the annual contributions which shall be made by the city. These annual contributions shall be such as shall be determined by actuarial computations on the basis of mortality and service tables approved by the retirement board as necessary

to provide all pension payments on account of members of the retirement system and shall be paid by the treasurer of the city of Boston to the retirement board in such instalments and at such times as the retirement board shall require. These annual contributions shall consist of a normal and an accumulated liability contribution.

The normal contribution shall be equal to such per centum of the annual compensation of all members as is computed to be sufficient to provide during the active service of the average new entrant for all pensions for which the city may be liable on his account. The sums payable by the commonwealth to the city of Boston on account of teachers retired under the provisions of this act shall be paid into the pension accumulation fund and used to reduce the amount which would otherwise be required for the normal contributions from the city of Boston for the years in which such payments are made.

The accumulated liability contribution shall be computed as a constant percentage of the total pay roll of all members and shall be sufficient to provide during the thirty year period immediately following the establishment of this system for all pensions to be paid on account of members who are entitled to credit for prior service when this system is established, which are not provided by the normal contributions made on their account. The accumulated liability contributions shall be at least equal to regular interest on the amount of the accumulated liability and shall be at least three per cent greater in amount each year than the amount for the preceding year. The accumulated liability contributions shall be discontinued as soon as the accumulated liability has been liquidated.

The retirement reserve fund shall be the fund to which upon the retirement of any members shall be transferred:

(a) From the annuity savings fund the accumulated deductions of the member, and

(b) From the pension accumulation fund an amount equal to his accumulated deductions, and

(c) From the pension accumulation fund in the case of the accidental death or the retirement of a new entrant an amount sufficient to provide the pension payable on his account not covered by paragraph (b).

SECTION 2. Section nine of said chapter five hundred and twenty-one is hereby amended by inserting after the word "judiciary" in the fifteenth line the words:—, heads of departments and members of boards in charge of departments,—so as to read as follows:—*Section 9.* A member of this retirement system who shall have attained age sixty shall, upon his own application be retired for superannuation within thirty days after the filing of such application, or he may, and if he is a member of the police force he shall, upon the application of the head of his department be retired for superannuation by the retirement board. A member, other than a member of the police force, whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hearing before the retirement board provided he requests such hearing in writing within ten days of the receipt of such notice.

A member of this retirement system who shall have attained

age seventy shall be retired for superannuation within thirty days, except members of the judiciary, heads of departments and members of boards in charge of departments, and except that a school teacher shall be retired on the thirty-first day of August following his attaining the age of seventy.

SECTION 3. Section ten of said chapter five hundred and twenty-one, as amended by section one of chapter four hundred and twenty-six of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the twenty-second and twenty-third lines, the words "the average annual compensation received by him" and inserting in place thereof the words:—his average annual regular compensation,—so as to read as follows:—*Section 10.* Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of:

(a) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

(b) A pension equal to the annuity, and

(c) If a member was an employee at the time the system was established and became a member within one year thereafter and has not since become a new entrant, an additional pension having an actuarial value equivalent to twice the contributions which he would have made during his prior service had the system then been in operation, together with regular interest thereon and

(d) If the retirement allowance provided under the foregoing clauses of this section for a member who has been an employee for fifteen years or more would otherwise be less than four hundred and eighty dollars a year, an additional pension sufficient to make a total retirement allowance of four hundred and eighty dollars a year.

The total pension of any member payable under the provisions of this section shall not, except as provided in paragraph (d), exceed one half of his average annual regular compensation during the five years immediately preceding his retirement.

SECTION 4. Any head of a city department or member of a board in charge of a city department who has declined membership in the Boston retirement system may be admitted to membership therein upon written application to the Boston retirement board at any time within sixty days after this act takes effect, and shall, after being so admitted, receive credit for prior service notwithstanding any provision of said chapter five hundred and twenty-one.

SECTION 5. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs prior to December thirty-first in the current year.

Approved April 14, 1924.

Accepted April 22, 1924.

Section 2, 254 Mass. 404, 406.

1924.—CHAPTER 328.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limits appropriation for municipal purposes for year ending January 31, 1925, \$12.75.)

1924.—CHAPTER 332.

AN ACT PROVIDING FOR THE APPOINTMENT OF SPECIAL NIGHT ELEVATOR INSPECTORS AND THE INSPECTION OF PASSENGER ELEVATORS AT NIGHT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Subject to the laws, rules and regulations governing the civil service, the building commissioner of the city of Boston may appoint not more than two special night elevator inspectors to inspect passenger elevators at night; provided, that no person shall simultaneously hold the position of day elevator inspector and special night elevator inspector. The pay of such special night elevator inspectors shall be at the rate of ten dollars for each night's inspection, but shall not exceed one thousand dollars per annum, and their duties shall be prescribed by said building commissioner.

SECTION 2. Upon request to the building commissioner by the owner or occupant of any building in the city of Boston in which a passenger elevator inspection is to be made that such inspection be made at night and upon payment to the said commissioner of the sum of ten dollars, the commissioner shall cause the same to be so made. All money collected for passenger elevator inspections made at night hereunder shall be turned over by the building commissioner to the city collector of the city of Boston.

Approved May 6, 1924.

See 1907, ch. 550.

1924.—CHAPTER 335.

AN ACT MAKING CERTAIN AMENDMENTS TO THE BUILDING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section one of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by section one of chapter two hundred and twenty-one of the Special Acts of nineteen hundred and seventeen, by section two of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by chapter one hundred and twenty-six of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the ninth and tenth lines, the words "nor to market sheds or market buildings not exceeding the said height", and by striking out, in the twenty-seventh line, the word "with" and inserting in place thereof the word:—from,—so that the first paragraph will read as follows:—*Section 9.* The building limits of the city of Boston as they now exist shall continue until changed by ordinance, and the city council may by ordinance from time to time extend and define them, and may establish other limits in any part of the city within which every building built after the establishment thereof shall be of the first or second class. This restriction shall not apply to wharves, nor to buildings not exceeding twenty-seven feet in height on wharves, nor to elevators for the

storage of coal or grain, if the external parts of such buildings, elevators or other structures are covered with slate, tile, metal, or other equally fireproof material, and the mode of construction and the location thereof are approved by the commissioner. Temporary structures to facilitate the prosecution of any authorized work may be erected under such conditions as the commissioner may prescribe. Single and two-family dwellings not to be occupied and not intended, arranged, or designed to be occupied, by more than two families, may be built of third-class construction or of composite construction in all parts of the city of Boston not included in the building limits of the city as they existed prior to the twenty-second day of September in the year nineteen hundred and thirteen; but no such building shall occupy more than sixty per cent of the area of the lot upon which it is situated, and all such buildings shall be constructed with pitched roofs not less than thirty degrees from the horizontal.

SECTION 2. Section twelve of said chapter five hundred and fifty, as amended by section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twelve, by section two of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section one of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, and by section seven of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following new paragraph:—Whenever any building is subdivided into stores in the first story and storage space is provided for such stores in the basement, then such storage spaces shall be enclosed with partitions made of incombustible material satisfactory to the commissioner.

SECTION 3. Section thirteen of said chapter five hundred and fifty, as amended by section three of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section three of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by chapter two hundred and seventy-seven of the Special Acts of nineteen hundred and sixteen, by chapter one hundred and four of the Special Acts of nineteen hundred and eighteen and by section eight of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by inserting after the word “buildings” in the sixth line of the twentieth paragraph the words:—, provided, that if a dormer window is in excess of fifty per cent of the length of the roof on the side of the roof where the dormer window is to be located, the same covering as used on the external walls of the building may be used on the sides and outsides of the frames of the dormer window,—so that said paragraph will read as follows:—No material other than brick, tile, slate, metal, asbestos shingles, or slag, shall hereafter be used to cover or roof any building, or the tops, sides and outsides of the frames of any dormer window, or any other projection of the roof of any building, except wooden cornices on wooden frame buildings, provided, that if a dormer window is in excess of fifty per cent of the length of the roof on the side of the roof where the dormer window is to be located, the same covering as used on the external walls of the building may be used on the sides

and outsides of the frames of the dormer window; but on flat roofs composition of asbestos and asphalt or tar and gravel may be used, or such other composition of fire-resisting roofing as the commissioner may authorize. Asphalt shingles may also be used; provided, that each package of shingles is inspected and labelled and that the shingles are made and laid in conformity with the regulations promulgated by the Underwriters' Laboratories as modified from time to time by said Laboratories; and provided, further, that within the lines at present constituting the building limits of the city of Boston such asphalt shingles may be used only on buildings of third class construction, and that they shall not be used within the building limits of said city as they existed prior to September twenty-second, nineteen hundred and thirteen. Nothing in this section shall be construed to prohibit the use of materials approved by the commissioner for repairing any roof now covered with wooden shingles or to prohibit covering with such approved materials the roofs of buildings less than sixteen feet in height; provided, that the building is not altered in height or otherwise generally reconstructed.

SECTION 4. Section thirty-two of said chapter five hundred and fifty, as amended by section five of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section thirteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen, by section two of chapter sixty of the acts of nineteen hundred and twenty-one and by section sixteen of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end of the first paragraph the following:— The commissioner may in respect to radio towers waive the provisions of this section,— so that said paragraph will read as follows:— *Section 32.* All structural metal supporting or forming part of the frame, floors, roof or columns of any building, except as otherwise exempted in this act, shall be protected against the effect of heat. The commissioner may in respect to radio towers waive the provisions of this section. And by adding at the end of the eleventh paragraph the words:— or other material satisfactory to the commissioner,— so that said paragraph will read as follows:— In buildings of third class construction the exterior walls at each floor level, and all spaces between joists over girders and bearing partitions, and from plate to roof boarding, shall be firestopped with masonry or metal or other material satisfactory to the commissioner.

SECTION 5. Section thirty-five of said chapter five hundred and fifty as amended by section three of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one and by section seventeen of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the seventh line of the eleventh paragraph, the word "other" and inserting in place thereof the word:— such,— so that said paragraph will read as follows:— New buildings for habitation or tenement purposes of not more than seventeen hundred and fifty square feet area, may be built of second class construction with the same restrictions as required by the preceding paragraphs of this section referring to the alteration, remodelling and enlarging

of second class buildings. The exposure required under this section shall apply to all such buildings hereafter constructed and adapted for habitation.

SECTION 6. Section forty-five of said chapter five hundred and fifty, as amended by section ten of chapter seven hundred and eighty-two of the acts of nineteen hundred and fourteen, by section four of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by sections one and two of chapter four hundred and forty of the acts of nineteen hundred and twenty, by section seven of chapter two hundred and eighty-nine, by chapter four hundred and seventy-six of the acts of nineteen hundred and twenty-one and by chapter one hundred and thirty-six of the acts of nineteen hundred and twenty-four, is hereby further amended by inserting after the word "material" in the eleventh line, the words:—, except as hereinafter provided,—so that the first paragraph will read as follows:—*Section 45.* Every house for habitation, except a single family dwelling, hereafter erected more than three stories in height or covering an area of more than thirty-five hundred square feet shall have a staircase designated by the commissioner, of incombustible material extending from the entrance to the roof and with a pent house constructed of incombustible material. And the said staircase shall not extend below the entrance floor level, except as an exit to the outside and shall have no opening into basement or cellar and shall be enclosed in walls constructed of incombustible material, except as hereinafter provided. In addition to the above staircase, all such buildings shall have a staircase enclosed as described in section forty-seven. All door openings from all stair enclosures shall have metal or metal covered self-closing doors and metal or metal covered frames. Public halls therein shall be at least three feet wide in the clear and stairs shall be at least three feet wide between the wall and the stair rail.

SECTION 7. Section sixty-five of said chapter five hundred and fifty, as amended by section fifteen of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "sixty" in the ninth line the words:—, or be lighted by other means which in the opinion of the commissioner will provide a sufficient amount of light,—so as to read as follows:—*Section 65.* Except as otherwise provided in section sixty-six, in every tenement house hereafter erected, covering a superficial area of more than seventeen hundred and fifty square feet, every public hall shall have at least one window opening directly upon a street, a public alley or open passageway not less than ten feet in width, a railroad right of way, a cemetery or a public park, or upon a yard or court or a vent court as provided in section sixty, or be lighted by other means which in the opinion of the commissioner will provide a sufficient amount of light. Either such window shall be at the end of said hall, with the plane of the window substantially at right angles to the axis of the hall, or there shall be at least one window opening as above prescribed in every twenty feet in length or fraction thereof of the hall; but this provision for one window in every twenty feet of hall-way shall not apply to that part of the entrance hall between the entrance and the

first flight of stairs, provided that the entrance door contains not less than five square feet of glazed surface. At least one of the windows provided to light each public hall shall be at least two feet six inches wide and five feet high, measured between the stop beads.

Any part of a hall which is shut off from any other part of said hall by a door or doors shall be deemed a separate hall within the meaning of this section.

Approved May 6, 1924.

1924.—CHAPTER 352.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW AND TO RAISE BY TAXATION MONEY FOR HOSPITAL PURPOSES.

(Boston City Hospital Loan Act of 1924. Permits appropriations outside tax limit.)

Accepted July 8, 1924.
See 1858, ch. 113.

1924.—CHAPTER 369.

AN ACT TO PROVIDE FOR A LARGER APPROPRIATION FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section twenty of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by chapter eighty-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fifth and tenth lines, the word "thirty-five" and inserting in place thereof in each instance the word:—forty-five,—so as to read as follows:—*Section 20.* The said commission is authorized to employ such experts, counsel, and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said city upon requisition by the commission, not exceeding in the aggregate in any year the sum of forty-five thousand dollars, or such additional sums as may be appropriated for the purpose by the city council and approved by the mayor. A sum sufficient to cover the salary of the chairman of the commission and the further sum of at least forty-five thousand dollars to meet the expenses as aforesaid each year shall be appropriated by said city. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city.

Approved May 16, 1924.

1924.—CHAPTER 380.

AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE SCHOOLHOUSE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and seventy-three of the acts of nineteen hundred and one, as amended by sec-

tion one of chapter three hundred and seventy-six of the acts of nineteen hundred and four, is hereby further amended by striking out, in the sixteenth line, the word "four" and inserting in place thereof the word:—five,—and by striking out in the eighteenth line the words "thirty-five hundred" and inserting in place thereof the words:—four thousand,—so as to read as follows:— *Section 1.* The schoolhouse department of the city of Boston is hereby established and shall be under the charge of a board of three commissioners, citizens of Boston, appointed by the mayor of the city without confirmation. During the current year one of said commissioners shall be appointed for the term of three years, one for the term of two years and one for the term of one year, beginning with the first day of June of said year; and on or before the expiration of any term a commissioner shall be appointed for a term of three years, beginning with the first day of June in the year in which such term expires. Any vacancy occurring in the number of the commissioners shall be filled by appointment of a commissioner in the manner aforesaid, for the remainder of the term. The members of the board shall be paid a salary; the chairman at the rate of five thousand dollars per annum, and each of the other members at the rate of four thousand dollars per annum. The salaries and other necessary expenses of said department shall be apportioned and paid out of the proceeds of the bonds authorized by section four of this act, and out of such sums as shall be appropriated by said school committee for constructing and furnishing new school buildings, including the taking of land therefor and for school yards, and the preparing of school yards for use, and for repairs and alterations of school buildings, which apportionment shall be approved by the mayor. The provisions of chapter two hundred and sixty-six of the acts of the year eighteen hundred and eighty-five and of all other acts relating to the departments of the city of Boston or the officers or employees thereof, so far as they may be applicable and not inconsistent herewith, shall apply to said department and to the officers and employees thereof. The said board shall make an annual report in writing of its doings, and of all the business transacted by it, to the mayor of the city of Boston, and said report shall be printed as a public document of said city.

SECTION 2. This act shall take effect upon its approval by the school committee of the city of Boston.

Approved May 20, 1924.

Accepted by School Committee June 2, 1924.

1924.—CHAPTER 399.

AN ACT RELATIVE TO THE CONSTRUCTION OF A MUNICIPAL BUILDING IN THE BRIGHTON AND ALLSTON DISTRICT OF THE CITY OF BOSTON AND AUTHORIZING SAID CITY TO BORROW MONEY THEREFOR.

Not accepted.

1924.—CHAPTER 403.

AN ACT DEFINING COURT STREET IN CONNECTION WITH THE WIDENING AND CONSTRUCTION OF CAMBRIDGE AND COURT STREETS IN THE CITY OF BOSTON, AND RELATIVE TO THE REMOVAL IN CONNECTION WITH SUCH WIDENING AND CONSTRUCTION OF CERTAIN STRUCTURES ON AND UNDER SCOLLAY SQUARE AND ITS VICINITY.

See 1923, ch. 489, s. 1.

1924.—CHAPTER 410.

AN ACT RELATIVE TO THE REDIVISION OF THE CITY OF BOSTON INTO WARDS.

Section 3, Amended 1925, ch. 39, s. 1.

See 1914, ch. 630.

1924.—CHAPTER 412.

AN ACT TO AMEND THE BUILDING LAWS OF THE CITY OF BOSTON WITH RESPECT TO THE USE OF STRUCTURAL STEEL AND CAST IRON.

Be it enacted, etc., as follows:

SECTION 1. Section fourteen of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section four of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section nine of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the twenty-eighth paragraph and inserting in place thereof the following:—*Steel*:—Steel for all structural work in buildings, except reinforced concrete work, shall conform to the requirements of the standard specifications for the composition of structural steel for bridges of the American Society for Testing Materials, as from time to time revised.

And further amended by striking out the schedule headed "*Stresses for Structural Steel and Iron*" and all after said schedule down to but not including the paragraph entitled "*Cast Iron Compression Members*" and inserting in place thereof the following:—

Stresses for Cast Iron.	
Bearing	16,000 lbs. per square inch
Bending compression	10,000 lbs. per square inch
Bending tension	4,000 lbs. per square inch
Shearing	2,000 lbs. per square inch

And further amended by striking out the last four paragraphs.

SECTION 2. Said chapter five hundred and fifty, as amended in section sixteen by section six of said chapter one hundred and seventy-nine and by section ten of said chapter four hundred and sixty-two, is hereby further amended by striking out said section sixteen and inserting in place thereof the following:—*Section 16. Structural Steel*.—The design, fabrication and erection of structural steel shall be in accordance with the following specifications:

1. ALLOWABLE STRESSES:

All parts of the structure shall be so proportioned that the sum of the maximum static stresses in pounds per square inch shall not exceed the following:

- (a) *Tension*: Rolled Steel, on net section 18,000
- (b) *Compression*: Rolled Steel, on short lengths or
where lateral deflection is prevented 18,000

On gross section of columns,

$$1 + \frac{\frac{18,000}{l^2}}{18,000r^2}$$

with a maximum of 13,500

In which l is the unsupported length of the column, and r is the corresponding least radius of gyration of the section, both in inches.

For main compression members, the ratio l/r shall not exceed 160, and for bracing and other secondary members, 200.

- (c) *Bending*: On extreme fibres of rolled shapes, and built up sections, net section, if lateral deflection is prevented 18,000

When the unsupported length l exceeds 15 times b , the width of the compression flange, the stress in pounds per square inch in the latter shall not exceed

$$1 + \frac{\frac{20,000}{l^2}}{2,000b^2}$$

The laterally unsupported length of beams and girders shall not exceed 40 times b the width of the compression flange.

On extreme fibres of pins, when the forces are assumed as acting at the center of gravity of the pieces 27,000

(d) *Shearing*:

On pins 13,500

On power-driven rivets 13,500

On turned bolts in reamed holes with a clearance of not more than 1/50 of an inch 13,500

On hand-driven rivets 10,000

On unfinished bolts 10,000

On the gross area of the webs of beams and girders, where h , the height between flanges in inches, is not more than 60 times t , the thickness of the web in inches 12,000

On the gross area of the webs of beams and girders if the web is not stiffened where h , the height between flanges in inches, is more than 60 times t , the thickness of the web, the maximum shear per square inch, S/A shall not exceed

$$1 + \frac{\frac{18,000}{h^2}}{7,200t^2}$$

In which S is the total shear, and A is gross area of web in square inches.

(e) *Bearing:*

	Double Shear.	Single Shear.
On pins	30,000	24,000
On power-driven rivets	30,000	24,000
On turned bolts in reamed holes	30,000	24,000
On hand-driven rivets	20,000	16,000
On unfinished bolts	20,000	16,000
On expansion rollers per lineal inch 600 times the diameter of the roller in inches.		

(f) *Combined Stresses:* For combined stresses due to wind and other loads, the permissible working stress may be increased 20%, provided the section thus found is not less than that required by the dead and live loads alone.

(g) *Members Carrying Wind Only:* For members carrying wind stresses only, the permissible working stresses may be increased 20%.

2. SYMMETRICAL MEMBERS:

Sections shall preferably be symmetrical.

3. BEAMS AND GIRDERS:

(a) *Rolled beams* shall be proportioned by the moment of inertia of their net section. Plate girders with webs fully spliced for bending shall be so proportioned that the unit stress on the net section does not exceed the stresses specified in paragraph 1 of this section as determined by the moment of inertia of the net section.

(b) *Plate girder webs* shall have a thickness of not less than 1-160 of the unsupported distance between the flanges.

(c) *Web splices* shall consist of a plate on each side of the web capable of transmitting the full stress through the splice rivets.

(d) *Stiffeners:* Stiffeners shall be required on the webs of rolled beams and plate girders at the ends and at points of concentrated loads, and at other points where h the clear distance between flanges is greater than $85t \sqrt{18,000 (A/S) - 1}$, in which t is the thickness of the web. When stiffeners are required, the distance in inches between them shall not be greater than $85t \sqrt{18,000 (A/S) - 1}$, or not greater than 6 feet. Stiffeners under or over concentrated loads shall be proportioned to distribute such loads into the web.

Plate girder stiffeners shall generally be in pairs, one on each side of the web, and shall have a close bearing against the flange angles at points of concentrated loading. The pitch of rivet in stiffeners shall not exceed 6".

(e) *Flange plates* of all girders shall be limited in width so as not to extend more than 6" or more than 12 times the thickness of thinnest plate beyond the outer row of rivets connecting them to the angles.

(f) *Crane runway girders* and the supporting frame-work shall be proportioned to resist the greatest horizontal stresses caused by the operation of the cranes.

(g) *Rivets* connecting the flanges to the web at points of direct

load on the flange between stiffeners shall be proportioned to carry the resultant of the longitudinal and transverse shears.

(h) *Rivets* connecting the flanges to the webs of plate girders and of columns subjected to bending shall be so spaced as to carry the increment of the flange stress between the rivets.

4. COLUMN BASES:

(a) Proper provision shall be made to distribute the column loads on the footings and foundations.

(b) The top surface of all column bases shall be planed for the column bearing.

(c) Column bases shall be set true and level, with full bearing on the masonry, and be properly secured to the footings.

5. ECCENTRIC LOADING:

Full provision shall be made for stresses caused by eccentric loads.

6. COMBINED STRESSES:

(a) Members subject to both direct and bending stresses shall be so proportioned that the greatest combined stresses shall not exceed the allowed limits.

(b) All members and their connections which are subject to stresses of both tension and compression due to the action of live loads shall be designed to sustain stress giving the largest section, with 50% of the smaller stress added to it. If the reversal of stress is due to the action of wind, the member shall be designed for the stress giving the largest section and the connections proportioned for the largest stress.

7. ABUTTING JOINTS:

Compression members when faced for bearings shall be spliced sufficiently to hold the connecting members accurately in place. Other joints in riveted work, whether in tension or compression, shall be fully spliced.

8. NET SECTIONS:

(a) In calculating tension members, the net section shall be used, and in deducting the rivet holes they shall be taken $\frac{1}{8}$ inch greater in diameter than the nominal diameter of the rivets.

(b) Pin-connected tension members shall have the section through the pin hole 25% in excess of the net section of the member, and a net section back of the pin hole equal to 75% of that required through the pin hole.

9. RIVETS AND BOLTS:

(a) In proportioning rivets, the nominal diameter of the rivet shall be used.

(b) Rivets carrying calculated stresses, and whose grip exceeds five diameters, shall have their number increased 1% for each additional $\frac{1}{16}$ inch in the rivet grip.

(c) Rivets shall be used for the splices and connections of main members, and for connections subject to reversal of stresses.

(d) Finished bolts in reamed holes may be used in shop or field work where it is impracticable to obtain satisfactory power-driven rivets. The finished shank shall be long enough to provide full bearing, and washers used under the nuts to give full grip when turned tight.

Unfinished bolts may be used in field work for connections in minor structures, and for secondary members of all structures such as purlins, girts, door and window framing, alignment bracing and secondary beams in floor.

10. RIVET SPACING:

Rivets shall be spaced in accordance with good engineering practice.

11. CONNECTIONS:

(a) Connections carrying calculated stresses except for lacing, sag bars, or angles, hand rails, or beam connections, shall not have less than 2 rivets; or for field connections not less than 3 rivets.

(b) Members meeting at a joint shall have their lines of center of gravity meet at a point if practicable; if not, provision shall be made for any eccentricity.

(c) The rivets at the ends of any member transmitting the stresses into that member should have their centers of gravity in the line of the center of gravity of the member; if not, provision shall be made for the effect of the resulting eccentricity. Pins may be so placed as to counteract the effect of bending due to dead load.

(d) When a beam or girder "A" is connected to another member in such a manner that "A" acts as a continuous or fixed end beam, proper provision shall be made for the bending moments at such a connection.

(e) Where stress is transmitted from one piece to another, through a loose filler, the number of rivets shall be properly increased.

12. EXPANSION:

Proper provision shall be made for expansion and contraction.

13. MINIMUM THICKNESS:

No steel less than $\frac{5}{16}$ inch thick shall be used for exterior construction, nor less than $\frac{1}{4}$ inch for interior construction, except for linings or fillers and the webs of rolled structural shapes.

Structural steel and sheet metal thinner than $\frac{1}{4}$ inch forming a part of the construction of stairs, skylights, roof houses, fire escapes, light one-story buildings, or light miscellaneous steel work, may be used under such restrictions as the commissioner may prescribe.

14. WORKMANSHIP:

(a) All workmanship shall be equal to the best practice in modern structural shops.

(b) Compression joints depending upon contact bearing shall have the bearing surfaces truly faced after the members are riveted.

(c) The use of a burning torch is permissible if the burned

metal is not carrying stresses during the burning. Stresses shall not be transmitted into the metal through a burned surface.

15. ERECTION:

(a) The frame of all steel skeleton buildings shall be carried up true and plumb, and temporary bracing shall be introduced wherever necessary to take care of all loads to which the structure may be subjected, including erection equipment, and the operation of same. Such bracing shall be left in place as long as may be required for safety.

(b) As erection progresses the work shall be securely bolted up to take care of all dead load, wind and erection stresses.

(c) Wherever piles of material, erection equipment, or other loads are carried during erection, proper provision shall be made to take care of stresses resulting from the same.

(d) No riveting shall be done until the structure has been properly aligned.

(e) Rivets driven in the field shall be heated and driven with the same care as those driven in the shop.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1924.

1924.—CHAPTER 414.

AN ACT RELATIVE TO LIVE LOAD REQUIREMENTS FOR OFFICE BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section thirty-six of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by chapter five hundred and ninety-five of the acts of nineteen hundred and fourteen, by section sixteen of chapter one hundred and seventy-nine of the Special Acts of nineteen hundred and eighteen and by section eighteen of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—Live loads shall include all loads except dead loads. Every permit shall state the purpose for which the building is to be used, and all floors and stairs shall be of sufficient strength to bear safely the weight to be imposed thereon in addition to the dead load, but shall safely support a minimum uniformly distributed live load per square foot as specified in the following table:

CLASS OF BUILDING.

	Pounds per Square Foot.
Armories, assembly halls, and gymnasiums	100
Fire houses:—	
Apparatus floors	150
Residence and stable floors	50
Garages, private, not more than two cars	75
Garages, public	150
Grandstands	100

	Pounds per Square Foot.
Hotels, lodging houses, boarding houses, clubs, convents, hospitals, asylums and detention buildings:—	
Public portions	100
Residence portions	50
Manufacturing, heavy	250
Manufacturing, light	125
Office buildings:—	
First floor	125
All other floors	60
Public buildings:—	
Public portions	100
Office portions	75
Residence buildings, including porches	50
Schools and colleges:—	
Assembly halls	100
Class rooms never to be used as assembly halls	50
Sidewalks	250
(Or eight thousand pounds, concentrated, whichever gives the larger moment or shear.)	
Stables, public or mercantile:—	
Street entrance floors	150
Feed room	150
Carriage room	50
Stall room	50
Stairs, corridors and fire escapes from armories, assembly halls and gymnasiums	100
Stairs, corridors and fire escapes except from armories, assembly halls and gymnasium	75
Storage, heavy	250
Storage, light	125
Stores, retail	125
Stores, wholesale	250

And further amended by striking out the thirteenth paragraph and inserting in place thereof the following:—In all buildings except storage buildings, wholesale stores, public garages and office buildings, for all columns, girders, trusses, walls, piers and foundations:

Carrying one floor	No reduction
Carrying two floors	Twenty-five per cent reduction
Carrying three floors	Forty per cent reduction
Carrying four floors	Fifty per cent reduction
Carrying five floors	Fifty-five per cent reduction
Carrying six floors or more	Sixty per cent reduction

For office buildings only:

Carrying one floor	No reduction
Carrying two floors	Ten per cent reduction

Carrying three floors . . .	Twenty per cent reduction
Carrying four floors . . .	Thirty per cent reduction
Carrying five floors . . .	Forty per cent reduction
Carrying six floors or more . . .	Fifty per cent reduction
<i>Approved May 28, 1924.</i>	

1924.—CHAPTER 416.

AN ACT PROVIDING FOR A NEW LOCATION FOR THE BOSTON AND ALBANY RAILROAD OVER THE CHARLES RIVER BASIN AT THE BROOKLINE STREET-ESSEX STREET-COTTAGE FARM BRIDGE.

Be it enacted, etc., as follows:

Chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one, as amended by chapter five hundred and one of the acts of said year, is hereby further amended by adding at the end thereof the following new section:—*Section 16.* As a part of the construction of the new Brookline Street-Essex Street-Cottage Farm bridge, the Grand Junction Branch of the Boston and Albany Railroad Company, hereinafter called the railroad company, shall be relocated across the Charles River Basin within a new location five rods in width, the centre line of such new location commencing at the centre line of its present location near the bridge over said branch at Charles River Road in the city of Cambridge and running in a straight line to a point in the centre line of the present Brookline Street-Essex Street-Cottage Farm bridge about five hundred and forty-five feet northerly from the northerly line of Commonwealth avenue, and thence continuing in a straight line and thence running by a curve to the right, of a radius not less than the radius of the curve in the centre line of the present location of said branch, to the northerly line of the location of the main line of said railroad company. Said centre line may be modified by agreement of the commission and the railroad company. Said new location shall be acquired by the commonwealth without expense to the railroad company and shall be conveyed to the railroad company by it, and that portion of the present location of said branch lying between a line drawn from a stone bound located in the northerly side line of said location distant about two hundred and forty feet southwesterly from the westerly line of Essex street, measured along said northerly side line, to a point on the southerly side line of said location at the southwesterly corner of land belonging to the commonwealth and the southeasterly side line of the proposed new location shall be conveyed by the railroad company to the commonwealth. The commission shall, as a part of said Brookline Street-Essex Street-Cottage Farm bridge, construct a double track railroad, including a double track bridge without a draw, signalling and other appurtenances, within said new location and connect it with the present tracks of the railroad company and shall remove the old railroad structures. After the completion of the work, the railroad company shall own and maintain said railroad, including the superstructure and abutments of that part

of said bridge carrying its tracks across said basin. The commission may acquire by purchase or otherwise the lands or rights necessary for said new location of said branch and, if in the judgment of the commission, it is necessary to take any lands or rights by eminent domain the railroad company shall at the request of said commission take said lands or rights by eminent domain under chapter seventy-nine of the General Laws, and the commonwealth shall reimburse it for any damages or expenses incurred thereby. In lieu of the requirements of chapter one hundred and sixty of the General Laws, the railroad company shall file its new location with the city council of the city of Boston and the county commissioners of the county of Middlesex.

The commission may construct and thereafter shall maintain and renew without expense to the railroad company an underpass of suitable width and headroom under said new location on the southerly side of said Charles River Basin in connection with a proposed shore drive along said basin.

The commission may at its own risk and expense loan the portions of said new location which the railroad company may not require from time to time for the tracks and appurtenances of said branch and maintain plants and shrubs in such portions.

For the purpose of complying with the provisions of this section, the commission may expend a further sum not exceeding three hundred and fifty thousand dollars (of which one hundred and twenty-five thousand dollars is to be repaid by the railroad company), in addition to the amounts already authorized for the cost of said bridge. Pursuant to this act, as amended by chapter five hundred and one of the acts of nineteen hundred and twenty-one, the state treasurer may borrow on the credit of the commonwealth such further sums, not exceeding three hundred and fifty thousand dollars, as may from time to time be required, and may issue and renew notes of the commonwealth carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council, said notes to be for such term or terms of years as shall be recommended by the governor, in pursuance of section three of Article LXII of the amendments to the constitution. The additional construction cost incurred under the provisions of this section, including interest, shall be determined and assessed in accordance with the provisions of section five relative to the Essex Street-Brookline Street-Cottage Farm bridge and approaches.

But this section shall have no effect, and no work shall be commenced thereunder, unless and until an agreement shall have been executed between the commonwealth and the railroad company, or its lessee, the New York Central Railroad Company, providing that the railroad company will accept the provisions of this act, and will accept the new location, tracks and appurtenances and the portion of said bridge supporting such tracks and pay the commonwealth therefor the sum of one hundred and twenty-five thousand dollars, when the same are completed and turned over to it. In consideration of said payment, no other assessment under this act shall be made upon the railroad company.

Approved May 28, 1924.

1924.— CHAPTER 442.

AN ACT REQUIRING THE METROPOLITAN DISTRICT COMMISSION TO STRENGTHEN, REPAVE AND REPAIR THE BRIDGE IN MASSACHUSETTS AVENUE ACROSS THE CHARLES RIVER BASIN BETWEEN BOSTON AND CAMBRIDGE, AND TO ALTER THE DRAW SPAN IN SAID BRIDGE INTO A FIXED SPAN.

Whereas, The deferred operation of this act would be inconsistent with its purpose to eliminate without unnecessary delay the danger involved in the continued use of said bridge in its present condition, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to strengthen, repave with a pavement of vitrified brick, asphalt or other suitable surface of similar lasting character, and repair the bridge in Massachusetts avenue across the Charles River Basin between Boston and Cambridge, and to alter the draw span in said bridge into a fixed span equal in width to the rest of the bridge, and for these purposes, it may expend not exceeding six hundred thousand dollars.

SECTION 2. Salaries and wages of employees of the commission while engaged in the work herein authorized, interest on all money borrowed by the state treasurer on the credit of the commonwealth as provided in this section, and all other expenses incurred in carrying out the provisions of this act shall be deemed to be a part of the expenditure authorized by this act, and shall in the first instance be paid by the commonwealth. For this purpose the state treasurer may borrow on the credit of the commonwealth such sum or sums of money as may from time to time be certified to him by said commission as required therefor, and may issue temporary notes of the commonwealth therefor, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council, and for such term or terms as shall be recommended by the governor in pursuance of section three of Article LXII of the amendments of the constitution; and on the order of the commission the state treasurer shall make payments from time to time on account of the work done under this act.

SECTION 3. When the commission has completed the work authorized by this act, the cost thereof, as certified by the commission, shall be paid as follows: thirty per cent by the cities and towns of the metropolitan parks district, excluding Boston and Cambridge, in proportions based upon the ratios which the respective taxable valuations of said cities and towns, as last determined by the general court, bear to their total taxable valuation; forty-five per cent by the city of Boston; and twenty-five per cent by the city of Cambridge. The state treasurer shall include in the state tax levied next after the completion of the work upon each of said cities and towns, except Boston and Cambridge, the proportionate

part of said cost to be paid by said city or town as herein provided, and the same shall be collected as a part of the state tax of said city or town.

SECTION 4. To meet the payment required by this act of the city of Boston and of Cambridge, each such city may borrow outside its limit of indebtedness such sums as may be necessary, not exceeding, in the aggregate, the amount of such payment, and may issue its notes or bonds therefor, which shall bear on their face the name of the city and the designation Massachusetts Avenue Bridge Loan, Act of 1924. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not exceeding five years from their dates. Except as otherwise provided by this section, any indebtedness incurred hereunder by the city of Boston shall be subject to the laws relating to the incurring of debt by said city, and any indebtedness incurred hereunder by the city of Cambridge shall be subject to the provisions of chapter forty-four of the General Laws.

SECTION 5. When the work herein authorized shall have been completed, said bridge shall be maintained as a public highway and, so far as consistent with such purpose, the metropolitan district commission shall have over the same all the powers and authority and be subject to the liability now conferred and imposed upon said commission in respect to the care, control and maintenance of roadways and boulevards under its care and control, and the cost of maintenance of said bridge and approaches shall be paid as a part of the cost of maintenance of boulevards by said commission.

Approved June 2, 1924.

See 1882, ch. 155.

1924.—CHAPTER 444.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND USE OF AN ADDITIONAL STATION IN CONNECTION WITH THE CAMBRIDGE SUBWAY AT OR NEAR THE JUNCTION OF CAMBRIDGE AND CHARLES STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The commission of the department of public utilities may construct an additional station in connection with the Cambridge subway, so-called, at or near the junction of Cambridge and Charles streets in the city of Boston. The commission may make such changes in the grades and location of the existing tracks and structure as may be necessary for the proper location and construction of said station, its platform or platforms, approaches, entrances and exits, and for the purposes of this act the said commission shall have the same powers as were conferred upon the Boston transit commission by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven; provided, that whenever by said chapter said transit commission is authorized to act in the name or in behalf of the city of Boston the said commission of the department of public utilities shall have like power and authority to act in the name and in behalf of the commonwealth. The said commission may arrange to have the Boston transit depart-

ment make the plans for and take charge of the work of construction authorized by this act under the supervision of the commission.

SECTION 2. No work of construction shall be done or contract therefor let, unless and until a plan as set forth in the following section shall be prepared and filed and the Boston Elevated Railway Company shall execute a contract for the use of said station as hereinafter provided.

SECTION 3. The commission shall prepare or cause to be prepared a plan showing the location and design of the proposed station, the layout of the platform or platforms, approaches, entrances and exits, and the grade and location of the tracks, with the changes, if any, in the existing tracks or structure. The plan shall be submitted to the Boston Elevated Railway Company for examination and a copy shall be filed in the office of the mayor of the city of Boston. The commission may hold a hearing on the plan.

SECTION 4. The contract to be executed by the Boston Elevated Railway Company for the use of the station shall be for a term ending with that of the contract for the use of the Cambridge subway. The company shall pay to the commonwealth an annual rental equal to the total interest obligations of the commonwealth in respect of the bonds issued to carry out the purposes of this act for the year on account of which said rental is paid, increased by the total amount of the principal of said bonds maturing annually, which increase shall be applied to retiring subsequently maturing bonds as they fall due. Any station constructed or changes made in the existing structure under this act shall be deemed a part of the Cambridge subway. The provisions of section eight of chapter three hundred and sixty-nine of the General Acts of nineteen hundred and nineteen shall apply to the work authorized by this act.

SECTION 5. The commission may make contracts in the name of the commonwealth for the work herein authorized, but all contracts involving two thousand dollars or more in amount shall be advertised in a reasonable number of newspapers for proposals for the performance of such work, shall be awarded to the lowest responsible and eligible bidder, and shall be entered into by an instrument in writing signed by a majority of the commission, and no such contract shall be altered except by an instrument in writing signed by the contractor and a majority of the commission, and also by the sureties, if any, on the bond given by the contractor for the completion of the original contract. The Boston Elevated Railway Company is authorized to bid upon and make and carry out any such contract for construction.

SECTION 6. The state treasurer shall, upon the request of the commission, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount, to be specified from time to time by the commission, sufficient to provide means for the payment for the work and construction herein authorized and the necessary expenses incurred by the commission in connection therewith but not in excess of six hundred thousand dollars. All such bonds shall be designated on their face, Cambridge Subway Station Loan, and shall be on the serial payment plan for such maximum term of

years as the governor may recommend to the general court in accordance with section three of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year shall, as nearly as is in the opinion of the state treasurer practicable, be the same, and shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix. All rents, tolls or other compensation received by the commonwealth for the use of the property constructed under the authority hereof shall be applied to the payment of principal and interest upon said bonds. Any premium received upon the sale of said bonds shall be used in the retirement or purchase thereof.

Approved June 2, 1924.

Section 7, Added 1931, ch. 362.

See 1894, ch. 548, s. 23; 1918 (S), ch. 159; 1925, ch. 321.

1924.—CHAPTER 475.

AN ACT AUTHORIZING THE LAYING OUT, WIDENING AND CONSTRUCTION OF TREMONT STREET FROM ARLINGTON SQUARE TO ITS INTERSECTION WITH STUART STREET IN THE CITY OF BOSTON.
(Boston Tremont Street Improvement Loan Act of 1924.)

Accepted July 15, 1924.

1924.—CHAPTER 476.

AN ACT AUTHORIZING THE LAYING OUT, WIDENING AND CONSTRUCTION OF KNEELAND STREET FROM A POINT AT OR NEAR WASHINGTON AND STUART STREETS TO ATLANTIC AVENUE IN THE CITY OF BOSTON.
(Boston Kneeland Street Improvement Loan Act of 1924.)

Accepted July 15, 1924.

1924.—CHAPTER 479.

AN ACT PROVIDING FOR BIENNIAL ELECTIONS IN THE CITY OF BOSTON AND FOR BOROUGH OR WARD REPRESENTATION IN THE CITY COUNCIL THEREOF, AND MAKING CERTAIN OTHER CHANGES IN AND ADDITIONS TO THE CHARTER OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The terms of office of the mayor of the city of Boston, of members of the city council and school committee of said city which would expire under existing law on the first Monday of February, nineteen hundred and twenty-six, and of members of the city council and school committee of said city which would expire under existing law on the first Monday of February, nineteen hundred and twenty-seven, shall terminate at ten o'clock in the forenoon on the first Monday of January, nineteen hundred and twenty-six. There shall be no municipal election in said city in the year nineteen hundred and twenty-four, and the terms of office of members of the city council and school committee of said city which would expire under existing law on the first Monday of February,

nineteen hundred and twenty-five, are hereby extended to ten o'clock in the forenoon on the first Monday of January, nineteen hundred and twenty-six. The salary of any official whose term of office is terminated as aforesaid shall cease at the time of such termination and the salary of any official whose term of office is extended as aforesaid shall continue at the same rate as theretofore so long as he continues to serve during the period of such extension.

SECTION 2. Section three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out, in the twenty-fifth line, the words "December first" and inserting in place thereof the words:— November fifteenth, — and by striking out, in the twenty-sixth line, the word "February" and inserting in place thereof the word:— January,— so that the second paragraph will read as follows:— The city auditor may, with the approval in each instance of the mayor, at any time make transfers from the appropriation for current expenses of one division of a department to the appropriation for current expenses of any other division of the same department, and from the reserve fund to any appropriation for the current expenses of a department; and may also, with the approval of the mayor, at any time between November fifteenth and January first, make transfers from any appropriation to any other appropriation: *provided, however*, that no money raised by loan shall be transferred to any appropriation from income or taxes. He may also with such approval apply any of the income and taxes not disposed of in closing the accounts for the financial year in such manner as he may determine.

SECTION 3. Said chapter four hundred and eighty-six is hereby further amended by inserting after section four the following new section:— *Section 4A.* The mayor may designate one clerical assistant for whose acts he shall be responsible to sign his name in approval of all vouchers of less than five hundred dollars each.

SECTION 4. Said chapter four hundred and eighty-six, as amended in section thirty-two by section one of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen and by section one of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section thirty-two and inserting in place thereof the following:— *Section 32.* Beginning in the year nineteen hundred and twenty-five, the municipal election in said city shall take place biennially in every odd numbered year on the Tuesday after the first Monday in November.

SECTION 5. Said chapter four hundred and eighty-six is hereby further amended by striking out section thirty-three and inserting in place thereof the following:— *Section 33.* The fiscal year in said city shall begin on January first and shall end on December thirty-first next following; and the municipal year shall begin on the first Monday in January and shall continue until the first Monday of the January next following. At the biennial municipal election in the year nineteen hundred and twenty-five, the five members of the school committee shall be elected. The two candidates receiving the largest number of votes at said election shall hold office for four years, and the three receiving the next largest number of votes at said election, for two years. At every biennial

municipal election thereafter, all members of the school committee to be elected shall be chosen for terms of four years each. The terms of all members of the school committee shall begin with the first Monday of January following their election and continue until their successors are chosen and qualified. The members of the school committee shall meet and organize on the first Monday of January following their election.

SECTION 6. Said chapter four hundred and eighty-six, as amended in section forty-five by section one of chapter ninety-four of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out said section forty-five and inserting in place thereof the following:— *Section 45.* Beginning with the biennial municipal election in the year nineteen hundred and twenty-five, the mayor of the city of Boston shall be elected at large to hold office for the term of four years from the first Monday in January following his election and until his successor is chosen and qualified and shall not be eligible for election for the succeeding term.

SECTION 7. Section forty-seven of said chapter four hundred and eighty-six, as amended by section three of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, is hereby further amended by striking out the first two sentences and inserting in place thereof the following:— If a vacancy occurs in the office of mayor within two months prior to a regular municipal election other than an election for mayor, or within sixteen months after any regular municipal election, the city council shall forthwith order a special election of mayor to serve for the unexpired term, and if such vacancy occurs at any other time there shall be an election for mayor at the next regular municipal election for the term of four years; provided, that the foregoing provisions shall not apply if such vacancy occurs between the date of an election at which a new mayor is elected and the date he takes office,— so as to read as follows:— *Section 47.* If a vacancy occurs in the office of mayor within two months prior to a regular municipal election other than an election for mayor, or within sixteen months after any regular municipal election, the city council shall forthwith order a special election of mayor to serve for the unexpired term, and if such vacancy occurs at any other time there shall be an election for mayor at the next regular municipal election for the term of four years; provided, that the foregoing provisions shall not apply if such vacancy occurs between the date of an election at which a new mayor is elected and the date he takes office. In the case of the decease, inability, absence or resignation of the mayor, and whenever there is a vacancy in the office from any cause, the president of the city council while said cause continues or until a mayor is elected shall perform the duties of mayor. If he is also absent or unable from any cause to perform such duties they shall be performed until the mayor or president of the city council returns or is able to attend to said duties by such member of the city council as that body may elect, and until such election by the city clerk. The person upon whom such duties shall devolve shall be called, “acting mayor” and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments except on the decease of the mayor.

SECTION 8. At the biennial state election in nineteen hundred and twenty-four, the registered voters of the city of Boston shall be entitled to vote upon the following plans of city council, which shall be printed upon the official ballot in the following form. Each voter shall make a cross in the space at the right of the plan which he desires to have adopted. No ballot shall be counted upon which the voter has made a cross in each such space.

Plan No. 1. A city council of fifteen members to consist of three members to be elected for two year terms by and from the voters of each of five boroughs (each comprising certain specified wards) at a salary of fifteen hundred dollars each, nominated as heretofore, except that the names of five hundred voters only shall be required to nominate each member.

Plan No. 2. A city council to consist of one member to be elected for a two year term by and from the voters of each ward at a salary of fifteen hundred dollars each, nominated as heretofore, except that the names of one hundred voters only shall be required to nominate each member.

SECTION 9. If a majority of the votes cast under the provisions of the preceding section are in favor of the first plan, then sections ten to twelve, inclusive, shall take effect subject to section twenty-one, and sections fourteen to sixteen, inclusive, shall be inoperative.

SECTION 10. Said chapter four hundred and eighty-six is hereby further amended by striking out section forty-eight and inserting in place thereof the following:—*Section 48.* For the purpose of electing city councillors, the city of Boston is hereby divided into the five following boroughs, each comprising the territory within the wards as constituted on January first, nineteen hundred and twenty-four, which are hereinafter assigned to it:

First borough, Wards one, two, three, four, five, nine and ten.

Second borough, Wards six, seven, eight, twenty-five and twenty-six.

Third borough, Wards eleven, twelve, thirteen, fourteen and seventeen.

Fourth borough, Wards eighteen, nineteen, twenty, twenty-one and twenty-four.

Fifth borough, Wards fifteen, sixteen, twenty-two and twenty-three.

Beginning with the biennial municipal election in the year nineteen hundred and twenty-five, there shall be elected at each regular municipal election by and from the registered voters of each borough three councillors to serve for two years from the first Monday in January following their election and until their successors are elected and qualified.

SECTION 11. Section fifty of said chapter four hundred and eighty-six is hereby amended by striking out all after the word "member" in the seventh line down to and including the word "term" in the fourteenth line, and inserting in place thereof the following:—during the first eighteen months of his term, order

a special election in his borough to fill such vacancy for the unexpired term,—so as to read as follows:—*Section 50.* The city council shall be the judge of the election and qualifications of its members; shall elect from its members by a vote of a majority of all the members a president who when present shall preside at the meetings thereof; shall from time to time establish rules for its proceedings, and shall, when a vacancy occurs in the office of any member during the first eighteen months of his term, order a special election in his borough to fill such vacancy for the unexpired term. The member eldest in years shall preside until the president is chosen, and in case of the absence of the president, until a presiding officer is chosen.

SECTION 12. Said chapter four hundred and eighty-six, as amended in section fifty-three by section four of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen and by chapter thirty-seven of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out said section fifty-three and inserting in place thereof the following:—*Section 53.* Any registered voter who is qualified to vote for a candidate for any municipal elective office in such city may be a candidate for nomination thereto, and his name as such candidate shall be printed on the official ballot to be used at the municipal election; provided, that at or before five o'clock P.M. of the twenty-first day prior to such election nomination papers prepared and issued by the election commissioners, signed in person for the nomination for mayor by at least three thousand registered voters in said city qualified to vote for such candidate at said election, signed in person for the nomination for school committee by at least two thousand registered voters in said city qualified to vote for such candidate at said election and signed in person for the nomination for city councillor by at least five hundred registered voters in the borough, for which said nomination is sought, qualified to vote for such candidate at said election shall be filed with said election commissioners and the signatures on the same to the number required to make the nomination subsequently certified by the election commissioners as herein-after provided. Said nomination papers shall be in substantially the following form:

COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

NOMINATION PAPER.

The undersigned, registered voters of the City of Boston, qualified to vote for a candidate for the office named below, in accordance with law, make the following nomination of a candidate to be voted for at the election to be held in the City of Boston on November

19 .

NAME OF CANDIDATE. (Give first or middle name in full.)	Office for which nominated.	Residence. Street and number if any.

SIGNATURES AND RESIDENCES OF NOMINATORS.

We certify that we have not subscribed to more nominations of candidates for this office than there are persons to be elected thereto. In case of the death, withdrawal or incapacity of the above nominee, after written acceptance filed with the board of election commissioners, we authorize (names of a committee of not less than five persons) or a majority thereof as our representatives to fill the vacancy in the manner prescribed by law.

SIGNATURES OF NOMINATORS (To be made in Person.)	Residence. April 1.	Borough.	Ward.	Precinct.	Present Residence.

ACCEPTANCE OF NOMINATION.

I accept the above nomination.

Signature of Nominee.

I (the candidate named in this paper, an officer of his political committee or the person who circulated this paper, as the case may be) do hereby make oath that the persons whose names appear on this paper as nominators signed the same in person.

.....
(Voter's Residence.)

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

BOSTON,

19 .

Then personally appeared _____, who, I am satisfied, is (the candidate named in this paper, an officer of his political committee, or the person who circulated this paper, as the case may be) and made oath that the foregoing statement by him subscribed is true, and that his voting residence is _____
Before me,

.....
Notary Public or Justice of the Peace.

The affidavit above set forth shall be sworn to before any officer qualified to administer oaths.

SECTION 13. If a majority of the votes cast under the provisions of section eight are in favor of the second or alternative plan, then sections fourteen to sixteen, inclusive, shall take effect subject to section twenty-one, and sections ten to twelve, inclusive, shall be inoperative.

SECTION 14. Said chapter four hundred and eighty-six is hereby further amended by striking out section forty-eight and inserting in place thereof the following:—*Section 48.* Beginning with the biennial municipal election in the year nineteen hundred and twenty-five, there shall be elected at each regular municipal election by and from the registered voters of each ward one councillor

to serve for two years from the first Monday in January following his election and until his successor is elected and qualified.

SECTION 15. Section fifty of said chapter four hundred and eighty-six is hereby amended by striking out all after the word "member" in the seventh line down to and including the word "term" in the fourteenth line and inserting in place thereof the following:—during the first eighteen months of his term, order a special election in his ward to fill such vacancy for the unexpired term,—so as to read as follows:—*Section 50.* The city council shall be the judge of the election and qualifications of its members; shall elect from its members by a vote of a majority of all the members a president who when present shall preside at the meetings thereof; shall from time to time establish rules for its proceedings, and shall, when a vacancy occurs in the office of any member during the first eighteen months of his term, order a special election in his ward to fill such vacancy for the unexpired term. The member eldest in years shall preside until the president is chosen, and in case of the absence of the president, until a presiding officer is chosen.

SECTION 16. Said chapter four hundred and eighty-six, as amended in section fifty-three by section four of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen and by chapter thirty-seven of the Special Acts of nineteen hundred and eighteen, is hereby further amended by striking out said section fifty-three and inserting in place thereof the following:—*Section 53.* Any registered voter who is qualified to vote for a candidate for any municipal elective office in such city may be a candidate for nomination thereto, and his name as such candidate shall be printed on the official ballot to be used at the municipal election; provided, that at or before five o'clock P.M. of the twenty-first day prior to such election nomination papers prepared and issued by the election commissioners, signed in person for the nomination for mayor by at least three thousand registered voters in said city qualified to vote for such candidate at said election, signed in person for the nomination for school committee by at least two thousand registered voters in said city qualified to vote for such candidate at said election and signed in person for the nomination for city councillor by at least one hundred registered voters in the ward, for which said nomination is sought, qualified to vote for such candidate at said election shall be filed with said election commissioners and the signatures on the same to the number required to make the nomination subsequently certified by the election commissioners as hereinafter provided. Said nomination papers shall be in substantially the following form:

COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON

NOMINATION PAPER.

The undersigned, registered voters of the City of Boston, qualified to vote for a candidate for the office named below, in

The affidavit above set forth shall be sworn to before any officer qualified to administer oaths.

SECTION 17. Section fifty-four of said chapter four hundred and eighty-six, as amended by section five of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen and by chapter three hundred and forty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the tenth and eleventh lines, the words "in each year", by striking out, in the twelfth and thirteenth lines, the words "Wednesday after the first Monday in November", and inserting in place thereof the words:—fifth Wednesday preceding the regular municipal election,—by striking out, in the twenty-fourth and twenty-fifth lines, the words "for the city council or", and by inserting after the word "committee" in the twenty-fifth line the following:—and to any candidate for the city council there shall be issued not more than ten such nomination papers for a ward or not more than sixty such nomination papers for a borough,—so as to read as follows:—*Section 54.* If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto and no more. Nomination papers shall be issued by the board of election commissioners on and after but not before the fifth Wednesday preceding the regular municipal election. Such papers shall be issued only to candidates who shall file with the election commissioners requests therefor in writing, containing their names with the first or middle name in full, the offices for which they are candidates, and their residences, with street and number, if any. Forthwith the election commissioners shall print or insert on such nomination papers the names of the candidates, the offices for which they are nominated and their residences, with street and number, if any. Not more than three hundred such nomination papers shall be issued to any candidate for mayor, and not more than two hundred such nomination papers shall be issued to any candidate for the school committee and to any candidate for the city council there shall be issued not more than ten such nomination papers for a ward or not more than sixty such nomination papers for a borough. No nomination papers except those issued in accordance with the provisions of this section shall be received or be valid.

SECTION 18. Section fifty-eight of said chapter four hundred and eighty-six is hereby amended by striking out, in the first line, the word "annual" and inserting in place thereof the word:—biennial,—so as to read as follows:—*Section 58.* No ballot used at any biennial or special municipal election shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinions.

SECTION 19. Section fifty-nine of said chapter four hundred

and eighty-six is hereby amended by striking out, in the first line, the word "annual" and inserting in place thereof the word:—biennial,—so to to read as follows:—*Section 59.* On ballots to be used at biennial or special municipal elections blank spaces shall be left at the end of each list of candidates for the different offices, equal to the number to be elected thereto, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for such office.

SECTION 20. All acts and parts of acts, so far as inconsistent with this act, are hereby repealed; and all ordinances and parts of ordinances, so far as inconsistent with this act, are hereby annulled. All acts and parts of acts affecting the city of Boston, not inconsistent with the provisions of this act, are hereby continued in force.

SECTION 21. The provisions of section five relative to the fiscal year shall take effect on January first, nineteen hundred and twenty-six. The provisions of section one abolishing the municipal election in said city in the year nineteen hundred and twenty-four and extending the terms of office of members of the city council and school committee of said city which would expire under existing law on the first Monday of February, nineteen hundred and twenty-five, shall take effect after the Tuesday following the first Monday in November, nineteen hundred and twenty-four. The provisions of this act relative to changes in the date of the regular municipal election in said city in the year nineteen hundred and twenty-five, in the terms of office for which elective municipal officers are to be elected and in the manner of nominating and electing members of the city council shall, except as herein otherwise provided, take effect in season to be availed of at the regular municipal election of said city in the year nineteen hundred and twenty-five. Except as otherwise provided in this act, all other provisions thereof shall take effect on the first Monday of January, nineteen hundred and twenty-six.

Approved June 4, 1924.

Plan No. 2 (See Sections 8, 9, 13) was accepted by the voters at the State Election, November 4, 1924.

1924.—CHAPTER 488.

AN ACT REGULATING AND RESTRICTING THE USE OF BUILDINGS AND PREMISES, THE HEIGHT AND BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS IN THE CITY OF BOSTON AND FOR SAID PURPOSES DIVIDING THE CITY INTO DISTRICTS.

Be it enacted, etc., as follows:

DEFINITIONS.

SECTION 1. For the purposes of this act, certain words and terms used herein are hereinafter defined; words not defined herein shall be construed as defined or used in chapter five hundred and fifty of the acts of nineteen hundred and seven, and acts in amendment thereof and in addition thereto, being the building law of the city of Boston, hereinafter referred to as the aforesaid building law or, if not defined or used therein, as in the regulations of the department of public safety.

Building, Area of: The maximum horizontal projected area of a building, including covered porches but excluding cornices not more than eighteen inches wide, steps and terraces.

Dwelling: Any house or building, or portion thereof, except a hotel, which is occupied in whole or in part as the home or residence of one or more persons, either permanently or transiently.

Hotel: A building occupied as the more or less temporary abiding place of individuals in which provision is not made for cooking in any apartment, and in which there are more than fifty sleeping rooms, a public dining room for the accommodation of at least fifty guests, and a general kitchen.

Lot: Land occupied or to be occupied by a building and its accessory buildings, and including the open spaces required under this act.

Set-back: The minimum horizontal distance between the street line and the front line of the building, excluding steps, uncovered porches and covered but unenclosed entrance porches on the first story which do not exceed a total area of fifty square feet.

Story, Half: A story which is situated in a sloping roof, the area of which at a height four feet above the floor does not exceed two thirds of the floor area of the story immediately below it and which does not contain an independent apartment. A half story shall not be counted as a story for the purpose of determining yard dimensions.

Yard, Rear: An open, unoccupied space on the same lot with a building and between the extreme rear line of said building and the rear line of the lot.

Yard, Side: An open, unoccupied space on the same lot with a building extending for the full length of the building between the building and the side line of the lot.

ESTABLISHMENT OF USE DISTRICTS.

SECTION 2. In order to regulate and restrict the location of trades, industries and other uses, and the location of buildings designed, erected, altered or occupied for specified uses, the city of Boston is hereby divided into the following classes of use districts:

- Single Residence districts,
- General Residence districts,
- Local Business districts,
- General Business districts,
- Industrial districts,
- Unrestricted districts,

as appearing on the zoning map prepared by the Boston city planning board, dated March fifteenth, nineteen hundred and twenty-four and filed, April twenty-eighth of said year, in the office of the state secretary, as amended by the substitution of a new sheet ten of said plan, filed with said office May eleventh, nineteen hundred and twenty-four, in place of sheet ten previously filed.

Except as hereinafter provided no building shall be erected or altered nor shall any building or premises be used for any purpose other than a use permitted in the use district in which such building or premises is located.

SINGLE RESIDENCE DISTRICTS.

SECTION 3. In a single residence district no building or premises shall be erected, altered or used except for one or more of the following uses:

- (1) Single-family detached dwellings;
- (2) Clubs, except clubs the chief activity of which is a service customarily carried on as a business and clubs with more than five sleeping rooms;
- (3) Educational, religious, philanthropic or other institutional uses, provided that in the case of a hospital, sanitarium, correctional institution or similar use the health commissioner of Boston and building commissioner of Boston approve the location as not detrimental or injurious to the residential character of the neighborhood after public notice and hearing;
- (4) Farms, gardens, nurseries or greenhouses;
- (5) Municipal recreational uses;
- (6) Railroad or street railway local passenger stations;
- (7) Cemeteries, provided the health commissioner of Boston and the Boston city council approved the location;
- (8) Accessory uses customarily incident to any of the above permitted uses. The term "accessory use" shall not include:

- (a) Garages;
- (b) Any use, except signs, located upon that half of the lot nearest the street line or lines, or within ten feet of such part of an adjacent lot, unless it is either fifty feet from the nearest street or in the same building to which the use is accessory;
- (c) Signs except those pertaining to the lease, sale or use of the lot or building on which placed, and not exceeding a total area of eight square feet, and except further that on a lot occupied by a dwelling there shall not be more than one such sign, pertaining to the use thereof or bearing the name or occupation of an occupant, for each family housed and no such sign shall exceed one square foot in area;

(9) Garages in which the business of repairing is not conducted and in which not more than one commercial automobile is stored, provided after public hearing the board of street commissioners grants a license therefor. No such license shall be granted where such garage will be detrimental to the residential character of the neighborhood, or increases the fire hazard or tends to cause congestion in any private way used in common with others. From any decision of said commissioners granting any such license any person aggrieved may take an appeal, within fifteen days of notice of such decision, to the state fire marshal, who may after public hearing suspend or revoke any such license.

GENERAL RESIDENCE DISTRICTS.

SECTION 4. In a general residence district no building or premises shall be erected, altered or used except for one or more of the following uses:

- (1) Any use permitted in a single residence district;
- (2) Dwellings;

(3) Clubs, social or recreational buildings, except clubs the chief activity of which is a service customarily carried on as a business;

(4) Hotels, provided they conform to all the requirements of this act for dwellings;

(5) Accessory uses customarily incident to any of the above uses. The term "accessory use" shall be construed as in section three.

(6) Telephone exchange offices.

In a general residence district the building commissioner may grant a permit for physicians' offices, provided the building or use is not detrimental or injurious to the residential character of the neighborhood.

LOCAL BUSINESS DISTRICTS.

SECTION 5. In a local business district no building or premises shall be erected, altered or used for any use prohibited in a general business district as provided in section six, for any use injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise, or for any use except one or more of the following:

- (1) Any use permitted in a single or general residence district;
- (2) Hotels;
- (3) Fire stations;
- (4) Offices or banks;
- (5) Places of amusement or assembly;
- (6) Stables, provided the health commissioner after public notice and hearing approves the location;

(7) Any other retail business or service not involving any manufacture on the premises except as permitted in paragraph eight of this section;

(8) Any manufacturing, industrial or other use on the same premises with and clearly incidental to one of the above uses, provided that it does not occupy an area exceeding fifty per cent of the floor area of that part of a building occupied by such use, and provided further that the major portion of any products manufactured are to be sold at retail on the premises to the consumer;

(9) Filling stations or garages otherwise excluded, provided that the board of street commissioners, after public notice and hearing, grants a license therefor. No such license shall be granted where such filling station or garage will be detrimental or injurious to the business character of the neighborhood.

GENERAL BUSINESS DISTRICTS.

SECTION 6. In a general business district no building or premises shall be erected, altered or used for any of the following specified trades, industries or uses:

- (1) Aluminum, copper, iron, steel or alloys thereof: foundry or works;
- (2) Assaying, other than gold and silver;
- (3) Blacksmith or horse-shoeing shop;
- (4) Bleaching, dry cleaning or dyeing at wholesale;
- (5) Bottling works;

- (6) Brewing or distilling of liquor or spirits;
- (7) Brick, terra cotta or tile manufacture;
- (8) Building material storage yard;
- (9) Carpet or bag cleaning;
- (10) Coal, coke or wood yard;
- (11) Contractor's plant or storage yard, except during building construction on the same or an adjacent lot;
- (12) Cotton or woolen mills;
- (13) Fish curing or smoking;
- (14) Flour or grain mill or elevator;
- (15) Forge works;
- (16) Glass manufacture;
- (17) Ice manufacture for sale, or storage of more than twenty tons;
- (18) Junk or scrap iron dump storage or wrecking;
- (19) Lumber yard;
- (20) Oiled or rubber cloth manufacture;
- (21) Paper or pulp manufacture;
- (22) Petroleum or other inflammable liquids: storage in excess of two thousand gallons or manufacture of any of its by-products;
- (23) Planing or saw mill;
- (24) Public utility power generating plant;
- (25) Rags or scrap paper dump, storage, sorting or baling;
- (26) Rock or stone crusher, mill or quarry;
- (27) Rubber manufacture or treatment;
- (28) Shoddy manufacture;
- (29) Soap manufacture;
- (30) Steam railroad yard or roundhouse;
- (31) Stone yard or cutting;
- (32) Sugar refining;
- (33) Tobacco, manufacture of chewing tobacco;
- (34) Any use prohibited in an industrial district as provided in section seven;
- (35) Any other trade, industry or use that is injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise.

INDUSTRIAL DISTRICTS.

SECTION 7. In an industrial district no building or premises shall be erected, altered or used for any of the following specified trades, industries or uses:

- (1) Ammonia, bleaching powder or chlorine manufacture or refining;
- (2) Asphalt manufacture or refining;
- (3) Blacking or polish manufacture;
- (4) Blast furnace;
- (5) Boiler works;
- (6) Candle or sperm oil manufacture;
- (7) Cement, gypsum, lime or plaster of paris manufacture;
- (8) Coke manufacture;
- (9) Cremation, unless in a cemetery;
- (10) Creosote manufacture or treatment;

- (11) Dextrin, glucose or starch manufacture;
- (12) Disinfectant or insecticide manufacture;
- (13) Distillation of bones, coal or wood or manufacture of any of their by-products;
- (14) Dye manufacture;
- (15) Explosives or fireworks manufacture, or storage in excess of five hundred pounds;
- (16) Fat, grease, lard or tallow manufacture, refining or rendering;
- (17) Fertilizer manufacture;
- (18) Gas (fuel or illuminating) manufacture in excess of one thousand cubic feet per day or storage in excess of ten thousand cubic feet;
- (19) Gelatin, glue or size manufacture;
- (20) Hydrochloric, nitric, picric, sulphuric or sulphurous acid manufacture;
- (21) Hair manufacture;
- (22) Hot rolling mill;
- (23) Incineration or reduction of dead animals, garbage offal or refuse unless accumulated and consumed on the same premises without the emission of odor;
- (24) Lamp-black manufacture;
- (25) Linoleum or oilcloth manufacture;
- (26) Match manufacture;
- (27) Metal or ore reduction or smelting;
- (28) Oil, paint, shellac, turpentine or varnish manufacture;
- (29) Petroleum or other inflammable liquids: production or refining;
- (30) Printing ink manufacture;
- (31) Pyroxylin manufacture, manufacture of articles thereof, or storage in excess of five hundred pounds unless in a vault approved by the state department of public safety;
- (32) Rubber manufacture from crude material;
- (33) Salt, soda or soda compounds manufacture;
- (34) Slaughtering except as permitted by the health commissioner of Boston;
- (35) Stock-yards;
- (36) Tanning, curing or storage of raw hides or skins;
- (37) Tar distillation or manufacture;
- (38) Tar roofing or waterproofing manufacture;
- (39) Wool pulling or scouring;
- (40) Any other trade, industry or use that is injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise, but not including places of amusement.

UNRESTRICTED DISTRICTS.

SECTION 8. In an unrestricted district buildings and premises may be used for any purposes not prohibited by law, ordinance or regulation.

NON-CONFORMING USES.

SECTION 9. Any lawful use of a building or premises or part thereof existing at the time of the taking effect of this act may be continued, although such use does not conform with the foregoing

provisions hereof. In the case of a building or part thereof designed and intended for a non-conforming use, such use in a part thereof may be extended throughout the building or part thereof so designed and intended or changed to any use permitted in a district where such non-conforming use would be permitted and not more detrimental or injurious to the neighborhood, provided no structural alterations are hereafter made therein, except those required by law, ordinance or regulation.

The building commissioner may grant a permit for the erection of additional buildings or for the enlargement or alteration of existing buildings on the same or an adjacent parcel of land, each in the same single or joint ownership of record at the time it is placed in a use district, for a trade, business, industry or other use prohibited in such district where such enlargement or alteration will not be detrimental or injurious to the character of the neighborhood.

The building commissioner may grant a permit for a non-conforming temporary building or use incidental to the development of a neighborhood and where reasonably required for such development, such permit to be issued for an initial period of not more than two years, and in the case of a building only upon application accompanied by a bond and bill of sale to the city, effective in case the building is not removed prior to the expiration of the permit. Permits may be renewed by the commissioner for successive periods of not more than two years each.

In a general business or industrial district the building commissioner may grant a permit for a building or use otherwise excluded from such district, provided such building or use is distinctly incidental and essential to a use of a building or plant with a series of buildings permitted in such a district, provided not more than twenty per cent of the total floor area of the building or buildings is to be so occupied, provided that not more than twenty per cent of the employees of the building or plant are to be engaged therein, and provided that no building or use otherwise prohibited in the district is located within fifty feet of any street or lot line unless such line adjoins or faces property in a district in which such use is permitted.

ESTABLISHMENT OF BULK DISTRICTS.

SECTION 10. In order to regulate and limit the height and bulk of buildings, the area of yards and other open spaces and the percentage of lot occupancy, the city of Boston is hereby divided into the following classes of bulk districts:

- Thirty-five foot districts,
- Forty foot districts,
- Sixty-five foot districts,
- Eighty foot districts,
- One hundred and fifty-five foot districts,

as appearing on the zoning map prepared by the Boston city planning board, dated March fifteenth, nineteen hundred and twenty-four and filed, April twenty-eighth of said year in the office of the state secretary as amended by the substitution of a new sheet ten of said plan, filed with said office May eleventh, nineteen hundred and twenty-four, in place of sheet ten previously filed.

Except as hereinafter provided no building or part thereof

shall be erected or altered so as to produce greater heights, smaller yards or less unoccupied area than herein required for such a building for the bulk district in which it is located.

No lot shall be so reduced that the yards, courts or other open spaces shall be smaller than prescribed by this act. No yard, court or other open space shall at any time be counted as required open space for more than one building.

THIRTY-FIVE FOOT DISTRICTS.

SECTION 11. In a thirty-five foot district:—

Height: No building shall exceed thirty-five feet or two and one half stories in height.

Rear Yards: There shall be behind every building other than an accessory building a rear yard extending across the entire width of the lot and having a minimum depth of twenty-five feet, provided that on lots not within a single or general residence district the depth may be reduced five feet.

Side Yards: There shall be a side yard on each side of every building or pair of semi-detached buildings in a single or general residence district. The minimum width of any side yard provided in a thirty-five foot district shall be six feet, which shall be increased three inches for every ten feet or fraction thereof that the length of the side yard exceeds fifty feet, provided that on no lot held under a separate and distinct ownership from adjacent lots and of record at the time it is placed in a thirty-five foot district shall the buildable width be reduced by this requirement to less than twenty-four feet.

Courts: Courts shall conform to the regulations prescribed in sixty-five foot districts. In a single or general residence district no window required by the aforesaid building law shall open upon an outer court the depth of which exceeds its width or upon any inner court.

Set back: In a single or general residence district no building shall hereafter be erected or altered to be within thirty feet of the center of the street on which it fronts or within ten feet of the street line, provided that on a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs of such buildings.

Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines twenty feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.

Building Area: The area of a dwelling shall not exceed thirty-five per cent of the area of the lot. The area of a building other than a dwelling shall not exceed sixty per cent of the area of the lot.

FORTY FOOT DISTRICTS.

SECTION 12. In a forty foot district:—

Height: No building shall exceed forty feet or three stories in height.

Rear Yards: There shall be behind every building other than

an accessory building a rear yard extending across the entire width of the lot and having a minimum depth of twenty feet.

Side Yards: There shall be a side yard on each side of every building or attached group of buildings other than accessory buildings in a single or general residence district unless there is a party wall. The minimum width of any side yard provided in a forty foot district shall be six feet, which shall be increased three inches for every ten feet or fraction thereof that the length of the side yard exceeds fifty feet, provided that on no lot held under a separate and distinct ownership from adjacent lots and of record at the time it is placed in a forty foot district shall the buildable width be reduced by this requirement to less than twenty-four feet.

Courts: Courts shall conform to the regulations prescribed in sixty-five foot districts, provided that in a single or general residence district no window required by the aforesaid building law shall open upon any inner court the length or width of which is less than its average height.

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within twenty-five feet of the center of the street on which it fronts or within ten feet of the street line, provided that on a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs of such buildings.

Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines fifteen feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.

Building Area: The area of a dwelling shall not exceed sixty per cent of the area of the lot. The area of a building other than a dwelling shall not exceed seventy per cent of the area of the lot.

SIXTY-FIVE FOOT DISTRICTS.

SECTION 13. In a sixty-five foot district:—

Height: No building shall exceed sixty-five feet or five stories in height.

Yards and Courts: There shall be in the rear of every building other than an accessory building a rear yard extending across the entire width of the lot, provided that no rear yard shall be required for any building in those cases enumerated in section fifty-six of the aforesaid building law. All yards and courts shall conform to the requirements prescribed for tenement houses by the aforesaid building law.

Set-back: In a single or general residence district, in a sixty-five foot district and in any adjacent forty foot or thirty-five foot district on lots fronting on one side of a street between two intersecting streets no building shall hereafter be erected or altered to be nearer the street line than the average set-back of existing buildings within such limits, subject to the following provisions:

1. No set-back need exceed ten feet in any case. Any reduced set-back thus established shall be used in computing the average set-back.

2. On a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs of such buildings. Any set-back thus established shall be included in computing the average set-back.

Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines ten feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.

Building Area: The area of a dwelling shall not exceed seventy per cent of the area of the lot. The area of a building other than a dwelling shall not exceed eighty per cent of the area of the lot.

EIGHTY FOOT DISTRICTS.

SECTION 14. In an eighty foot district:—

Height: No building shall exceed the height limit heretofore in effect in district B as established by the commission on height of buildings in the city of Boston under chapter three hundred and thirty-three of the acts of nineteen hundred and four, and as thereafter revised; provided, that nothing herein shall be construed to affect the now existing limit of the height of buildings abutting on Commonwealth avenue between Arlington and Kenmore streets.

Set-back: Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines five feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.

Building Area: In a single or general residence district and for dwellings in any use district the area of a building shall not exceed eighty per cent of the area of the lot. For other buildings no requirements are herein prescribed.

ONE HUNDRED AND FIFTY-FIVE FOOT DISTRICTS.

SECTION 15. In a one hundred and fifty-five foot district:—

Height: No building shall exceed the height heretofore in effect in district A as established by the commission on height of buildings in the city of Boston under chapter three hundred and thirty-three of the acts of nineteen hundred and four, and as thereafter revised.

BULK DISTRICT REGULATIONS AND EXCEPTIONS.

SECTION 16. The foregoing requirements in the bulk districts shall be subject to the following exceptions and regulations:

Height.

(1) In a thirty-five foot or forty foot district a single-family dwelling or building for recreational use may be built to a height of three and one half stories but not exceeding forty-five feet, and an educational, religious, philanthropic or other institutional build-

ing may be built to a height of five stories, but not exceeding sixty-five feet, provided in each case the building sets back from each street and lot line, in addition to other yard and setback requirements, ten feet plus one foot for each foot of such height in excess of the height limit; and a telephone exchange office may be built to a height of five stories but not exceeding sixty-five feet, provided that the part of the building above the height limit sets back ten feet from each street and lot line, in addition to other yard and set-back requirements.

(2) In an industrial or unrestricted district all dwellings shall conform to the regulations herein prescribed for dwellings in forty foot districts.

(3) Structures specified in and exempted from height limitation by section four of chapter three hundred and eighty-three of the acts of nineteen hundred and five, as amended by section one of chapter one hundred and fifty-six of the Special Acts of nineteen hundred and nineteen, by chapter one hundred and seventy-four of the acts of nineteen hundred and twenty-two and by section twenty-seven of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, may be erected above the height limit herein established.

Area.

(4) In a thirty-five foot or forty foot district on a lot less than one hundred feet deep the depth of a rear yard may be reduced to one per cent of the depth required in preceding sections of this act for each foot of lot depth, but in no such case to less than twelve feet.

(5) In a thirty-five foot or forty foot district where there is a street, alley, railroad right of way, public park or cemetery along the rear or side of a lot, the measurement of the depth of rear yard and width of side yard may be made to the center of such street, alley, right of way, park or cemetery, and for that portion of the lot within twenty-five feet of any such rear or side, the building area may be increased by an additional ten per cent of such portion of the lot.

(6) In a thirty-five foot or forty foot district where there is a street, alley, railroad right of way, public park or cemetery along the side of a lot, for that portion of the lot within twenty-five feet of such side the depth of rear yard may be reduced six feet.

(7) In a thirty-five foot or forty foot district where a lot containing ten thousand square feet or less is entirely surrounded by streets or by streets and alleys or a railroad right of way, public park or cemetery, the building area may be increased twenty per cent.

(8) In a sixty-five foot or eighty foot district on a lot where no yard is required the building area may be increased thirty per cent.

(9) No part of a yard required for a dwelling shall be higher in level above the floor of the first dwelling story than one foot for each two feet of distance from the building or for other buildings a similar distance above the second story floor.

(10) Every part of a required yard or court shall be open

from its lowest point to the sky unobstructed except for the projections of skylights above the bottom of such yard or court, and except for the ordinary projections of window-sills, belt courses and other ornamental features, to the extent of not more than four inches. Cornices may not extend more than four inches into any court nor more than eighteen inches into any yard. Open or lattice-enclosed iron fire escapes or unenclosed outside stairs may project into the rear or side yard a distance of not more than four feet, provided that the exact location thereof receives the approval of the building commissioner.

(11) The limitation of building area herein prescribed shall apply in a thirty-five foot or forty foot single or general residence district at the curb grade; for a dwelling in any other district at a level not more than two feet above the first story floor; elsewhere not more than two feet above the second story floor; and not more than twenty feet above the mean curb grade in any case.

(12) On a lot occupied by a dwelling other than a tenement house a one-story building of accessory use thereto and not more than fifteen feet high measured to the mean height of the gable may be located in and occupy not more than thirty per cent of the rear yard of such dwelling. The area occupied by such a building of accessory use shall not be included as occupied area in computing the percentage of lot occupancy.

(13) Chimneys or flues may be erected within the limits prescribed for yards, provided that they do not exceed five square feet in total horizontal area and do not obstruct ventilation.

BOUNDARIES OF DISTRICTS.

SECTION 17. Unless otherwise indicated, the district boundary lines are the center lines of streets, alleys, parkways or railroad rights of way, or such lines extended. Other lines within blocks less than two hundred feet wide are median lines between their sides; other lines within blocks two hundred feet or more wide are one hundred feet distant from the less restricted side of the block.

Where the boundary line of a district divides a lot in a single or joint ownership at the time such district is established, a building or use authorized on the less restricted portion of such lot may extend to the entire lot but in no case for a distance of more than thirty feet.

Where the street or alley layout actually on the ground varies from the layout as shown on the zoning map the building commissioner shall interpret said map according to the reasonable intent of this act.

ENFORCEMENT; PERMITS.

SECTION 18. It shall be the duty of the building commissioner of the city of Boston to enforce the provisions of this act in manner and form and with powers similar to those practised or provided under the aforesaid building law. No permit shall be issued for the construction, alteration or moving of any building or part thereof unless the plans and intended use indicate that the building and the premises are to conform in all respects to the provisions of this act.

Upon any well founded information in writing from any person aggrieved that the provisions of this chapter are being violated or upon his own initiative, the building commissioner shall take immediate steps to enforce the provisions of this act by causing complaint to be made before the municipal court of the city of Boston or by applying for an injunction in the superior court.

It shall be unlawful to use or permit the use of any premises or building or part thereof hereafter erected, or altered wholly or partly, or the yards, courts or other open spaces of which are in any way reduced, until the building commissioner shall have certified on the building permit or, in case no building permit is issued, shall have issued a use permit specifying the use to which the premises, or the building upon being sufficiently completed to comply with the provisions and regulations relating thereto, may be put.

APPEALS.

SECTION 19. The board of appeal provided for in paragraph one of section six of the aforesaid building law shall act as a board of appeal under this act, and the members thereof shall receive for acting under this act the same compensation as provided in the aforesaid building law.

Any applicant for a permit under this act whose application has been refused may appeal therefrom within ninety days. Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of ten dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once a week.

The board of appeal may vary the application of this act in specific cases wherein its enforcement would involve practical difficulty or unnecessary hardship and wherein desirable relief may be granted without substantially derogating from the intent and purpose of this act, but not otherwise. No such variance shall be authorized except by the unanimous decision of the entire membership of the board, rendered upon a written petition addressed to the board and after public hearing thereon, of which notice shall be mailed to the petitioner and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid.

Any person aggrieved by a decision of the board of appeal, whether previously a party to the proceeding or not, or any municipal officer or board may, within fifteen days after the entry of such decision, bring a petition in the supreme judicial court for the county of Suffolk for a writ of certiorari to correct errors of law therein,

and the provisions of section four of chapter two hundred and forty-nine of the General Laws shall, except as herein provided, apply to said petition.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

BOARD OF ZONING ADJUSTMENT.

SECTION 20. There shall be a board of zoning adjustment to consist of twelve members as follows:—The chairman of the city planning board ex officio, and eleven members appointed by the mayor in the following manner: one member from two candidates nominated by the Associated Industries of Massachusetts, one member from two candidates nominated by the Boston Central Labor Union, one member from two candidates nominated by the Boston Chamber of Commerce, one member from two candidates to be nominated by the Boston Real Estate Exchange, one member from two candidates to be nominated by the Massachusetts Real Estate Exchange, one member from two candidates, one to be nominated by the Boston Society of Architects and one by the Boston Society of Landscape Architects, one member from two candidates to be nominated by the Boston Society of Civil Engineers, one member from two candidates to be nominated by the Master Builders' Association of Boston, one member from two candidates to be nominated by the Team Owners Association, one member from two candidates to be nominated by the United Improvement Association, and one member to be selected by the mayor. All appointive members shall be residents of or engaged in business in Boston. Two of the appointments first made shall be for the term of one year, two for the term of two years, two for the term of three years, two for the term of four years, and two for the term of five years, respectively, so that the terms of two members will expire each year. All subsequent appointments shall be for the term of five years. Vacancies among the appointive members shall be filled in the same manner in which original appointments are made. The several heads of departments of the city of Boston shall on request of the board supply it with all information in their possession useful for its duties.

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston. Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land. No such change shall be made except by the decision of not less

than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. No member shall act in any case in which he is personally interested either directly or indirectly.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner of Boston and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid. Upon any decision changing the zoning map, on file at the state secretary's office, an amended map showing such change endorsed by the chairman of said board shall be filed forthwith at said office.

If a change be favorably decided upon, any person aggrieved or any municipal officer or board may, within fifteen days after the entry of such decision, bring a petition in the supreme judicial court for the county of Suffolk for a writ of certiorari setting forth that such decision is in whole or part not in accordance with the duties and powers of such board as above prescribed and specifying the particulars of such non-compliance. The provisions of section four of chapter two hundred and forty-nine of the General Laws shall, except as herein provided, apply to said petition.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

The board shall not reduce in any way the area of the one hundred and fifty-five foot district established by this act.

The board shall report its doings annually on or before the tenth day of February to the mayor of Boston and to the general court.

If any area is hereafter transferred to another district by a change in district boundaries either by action of the board of zoning adjustment or by an amendment to this act, the buildings and uses then existing within said area shall be subject to the provisions of this act with reference to existing buildings or uses in the district to which the area is removed.

JURISDICTION; PENALTIES.

SECTION 21. The jurisdiction of courts in equity and at law and penalties for violation of any of the provisions of this act shall be as set forth in the aforesaid building law for violations thereof.

INTERPRETATION AND APPLICATION.

SECTION 22. In interpreting and applying the provisions of this act they shall be held to be the minimum requirements for the promotion of health, safety, convenience and welfare of the inhabitants of the city of Boston. This act shall not interfere with, abrogate, annul or repeal any statute previously enacted, relating to the use of buildings or premises, provided, however, that where this act imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger open spaces than imposed or required by such statute, the provisions of this act shall control.

The provisions of this act shall not apply to buildings or land belonging to and occupied by the United States or the commonwealth.

A building or premises used or to be used by a public service corporation may be exempted from the operation of this act if, upon a petition of the corporation, the department of public utilities shall, after a public hearing, decide that the present or proposed situation of the building or premises in question is reasonably necessary for the convenience or welfare of the public.

EXISTING BUILDINGS AND PERMITS.

SECTION 23. Nothing in this act shall prevent the substantial restoration within twelve months and continuance of use of a building which has been damaged by fire, explosion, flood, riot, act of the public enemy or accident of any kind to such an extent that the estimated cost of such restoration does not exceed three quarters of the fair value of the building based on replacement cost immediately prior to such damage. In the case of a building not conforming in use or in bulk to the regulations for the district in which it is located and so damaged to a greater extent, the building commissioner may grant a permit for restoration and continuance of use where neither will be detrimental or injurious to the character of the neighborhood.

Nothing in this act shall require any change in the plans, construction or intended use of a building for which a building permit has heretofore been issued, and the construction of which shall have been diligently prosecuted within six months of the date of such permit, and the ground story framework of which, including the second tier of beams, shall have been completed within such six months, and which entire building shall be completed according to such plans as filed within two years from the date this act takes effect. Nothing herein shall prevent the restoration of a wall or other structural part of a building declared unsafe by the building commissioner.

VALIDITY.

SECTION 24. The invalidity of any section or provision of this act shall not invalidate any other section or provision hereof.

WHEN EFFECTIVE.

SECTION 25. This act shall take effect upon its passage.

Approved June 5, 1924.

Section 1, Amended 1925, ch. 219, ss. 1 and 2; 1927, ch. 220, s. 1; 1930, ch. 347, s. 1.

255 Mass. 6, 7; 259 Mass. 329, 333.

Section 2, 255 Mass. 177, 178, 179; 262 Mass. 451, 454.

Section 3, Amended 1925, ch. 219, s. 3.

Section 3, paragraph (8), Amended 1932, ch. 143, s. 1; 1933, ch. 204, ss. 1 and 2.

255 Mass. 5, 6, 8; 255 Mass. 177, 179.

Section 4, Amended 1925, ch. 219, s. 4.

Section 4, paragraph (5), Amended 1933, ch. 204, s. 3.

255 Mass. 5, 6; 255 Mass. 177, 179; 262 Mass. 451, 454; 268 Mass. 416, 417; 281 Mass. 112, 113, 115.

Section 5, paragraph (9), Amended 1932, ch. 143, s. 2.

255 Mass. 177, 179; 287 Mass. 500, 506, 507.

Section 6, Amended 1925, ch. 219, s. 5.

Section 6, paragraph (17), Amended 1930, ch. 347, s. 1.; clause (31), Amended 1934, ch. 210, s. 1.

255 Mass. 177, 179; 287 Mass. 500, 506, 507.

Section 7, 255 Mass. 177, 179.

Section 8, 255 Mass. 177, 179.

Section 9, Amended 1932, ch. 143, s. 3.

255 Mass. 177, 179; 275 Mass. 169, 171; 287 Mass. 500, 507, 508, 509.

Section 10, Amended 1925, ch. 219, s. 6.

255 Mass. 177, 179, 180; 256 Mass. 238, 241.

Section 11, Amended 1927, ch. 220, ss. 2 and 3; 1930, ch. 347, s. 4; 1931, ch. 180, ss. 1 and 2.

255 Mass. 177, 179, 180; 256 Mass. 238, 241.

Section 12, Amended 1927, ch. 220, s. 4; 1931, ch. 180, s. 3.

255 Mass. 177, 179, 180; 259 Mass. 329, 331, 333; 287 Mass. 500, 509.

Section 13, Amended 1925, ch. 219, s. 7; 1931, ch. 180, s. 4; 1933, ch. 204, s. 4.

255 Mass. 177, 179, 180; 259 Mass. 329, 331, 333.

Section 14, Amended 1925, ch. 219, s. 8.

255 Mass. 177, 179, 180, 181.

Section 15, Amended 1928, ch. 137, s. 2.

255 Mass. 177, 179, 180, 186.

Section 16, Amended 1925, ch. 219, s. 9; 1931, ch. 180, s. 5.

Section 16, paragraph (1), Amended 1934, ch. 210, s. 2.

paragraph (8), Amended 1929, ch. 88, s. 1.

paragraph (11), Amended 1930, ch. 347, s. 3; 1932, ch. 143, s. 4.

paragraph (12), Amended 1927, ch. 220, s. 5; 1933, ch. 204, s. 5.

paragraph (15), Added 1933, ch. 204, s. 6.

255 Mass. 177, 179.

Section 17, Amended 1925, ch. 219, s. 10.

256 Mass. 238, 242; 259 Mass. 329, 332, 333, 334; 263 Mass. 589, 590; See 263 Mass. 212.

Section 19, Amended 1925, ch. 219, s. 11; 1926, ch. 350, s. 1; 1931, ch. 16, s. 1.

255 Mass. 177, 178, 184, 185; 262 Mass. 451, 454, 455, 457; 268 Mass. 416, 417, 418; 268 Mass. 419, 422; 281 Mass. 112, 113, 116.

Section 20, Amended 1925, ch. 219, s. 12; 1926, ch. 350, s. 2; 1927, ch. 220, s. 6; 1931, ch. 16, s. 2; 1936, ch. 240, s. 1.

255 Mass. 160, 162, 163, 164, 165, 170, 172, 173, 174; 255 Mass. 177, 185; 262 Mass. 451, 455; 263 Mass. 589, 590, 592, 593; 273 Mass. 97, 103; 275 Mass. 169, 173; 280 Mass. 195, 197; 281 Mass. 112, 116.

Section 22, Amended 1928, ch. 70.

255 Mass. 6, 7; 255 Mass. 177, 180, 182, 183; 256 Mass. 238, 241; 260 Mass. 548, 555; 275 Mass. 169, 172.

Section 23, 256 Mass. 238, 241.

255 Mass. 5, 6; 255 Mass. 160, 164; 255 Mass. 177, 179; 256 Mass. 238, 240; 257 Mass. 399, 401, 408; 259 Mass. 329, 332, 333; 262 Mass. 451, 454, 458; 263 Mass. 589, 590; 268 Mass. 416, 417; 275 Mass. 169, 171; 282 Mass. 182, 194; 284 Mass. 497, 499; 287 Mass. 500, 506.

1925.—CHAPTER 18.

AN ACT RELATIVE TO THE QUALIFICATIONS FOR MEMBERSHIP IN THE BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as amended by section three of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out paragraph (b) and inserting in place the following:—
(b) "Employee" shall mean any regular and permanent employee of the city of Boston or county of Suffolk (except teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers' retirement association) whose employment is such as to require that his time be devoted to the service of the city or county, or both, in each year during one half or more of the ordinary working hours of a city employee, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

SECTION 2. This act shall take effect upon its passage.

Approved February 16, 1925.

1925.—CHAPTER 39.

AN ACT AUTHORIZING THE USE OF THE WARD LINES ESTABLISHED IN THE CITY OF BOSTON IN NINETEEN HUNDRED AND TWENTY-FOUR FOR THE PURPOSES OF THE CITY ELECTION AND THE ASSESSING OF TAXES IN SAID CITY IN THE CURRENT YEAR.

See 1915 (G), ch. 91.

1925.—CHAPTER 52.

AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN PROPERTY ACQUIRED BY THE CITY OF BOSTON IN THE HYDE PARK DISTRICT FOR STREET RAILWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter four hundred and five of the acts of nineteen hundred and twenty-three is hereby amended by inserting after the word "act" in the seventeenth line the following:—The city, acting through its transit department, and without any other authority, may sell, lease or remove any property acquired under this act, provided, in the opinion of said department, the same is no longer needed for the purposes thereof, — by inserting after the word "any" in the same line the word: — such, — by inserting after the word "sales" in the same line the words: — lease or leases, — by inserting after the word "property" in the eighteenth line the words: — so acquired, — and by striking out, in the eighteenth and nineteenth lines, the words "taken, or acquired by purchase or otherwise, under authority of this act", so as to read as follows:— *Section 7.* The treasurer of the city shall from time to time, on request of the transit department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Street Railway Loan, shall be for such terms not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by the transit department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under this act. The city, acting through its transit department, and without any other authority, may sell, lease or remove any property acquired under this act, provided, in the opinion of said department, the same is no longer needed for the purposes thereof. The proceeds from any such sale or sales, lease or leases of property so acquired shall be used for the same purpose as the rental of said premises or shall be used for the payment of expenditures incurred for the acquisition of said property, as the transit department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in the said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it

for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1925.

1925.—CHAPTER 90.

AN ACT PERMITTING CERTAIN EMPLOYEES OF THE CITY OF BOSTON OR THE COUNTY OF SUFFOLK TO BECOME MEMBERS OF THE BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The words "retirement system", "employee", "prior service" and "new entrant", as used in this act, shall have the meanings respectively assigned thereto for the purposes of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, known as the Boston retirement act, by section two of said chapter, and the words "retirement board" shall mean the board established under section four of said chapter.

SECTION 2. An employee who was likewise an employee on February first, nineteen hundred and twenty-three, who gave notice in writing to the retirement board under section five of said chapter five hundred and twenty-one that he did not wish to join the retirement system and who has not since then become a new entrant may become a member of the retirement system by giving notice in writing to said board within ninety days of the effective date of this act that he desires to become a member of the said system.

SECTION 3. An employee who was likewise an employee on February first, nineteen hundred and twenty-three, who was then covered by any other pension or retirement law of the commonwealth, who did not become a member of the retirement system and who has not since then become a new entrant may become a member of the said retirement system by making written application for such membership to the retirement board within ninety days of the effective date of this act and therein waiving and renouncing all benefits of any other pension or retirement system supported wholly by the city of Boston or county of Suffolk.

SECTION 4. An employee who becomes a member of the retirement system as provided in section two or three of this act shall receive credit for prior service, notwithstanding any provision of said chapter five hundred and twenty-one.

SECTION 5. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter; provided, that such acceptance occurs during the current year.

Approved March 12, 1925.

Accepted April 2, 1925.

1925. — CHAPTER 123.

AN ACT REPEALING CERTAIN ACTS RELATIVE TO A SUBWAY PROPOSED TO BE CONSTRUCTED IN THE CITIES OF EVERETT AND MALDEN.

(Repeals Parts II and III of 1913, ch. 777, as amended, relating to subway in Everett and Malden.)

1925.—CHAPTER 136.

AN ACT INCREASING THE NUMBER OF SIGNATURES OF REGISTERED VOTERS REQUIRED TO NOMINATE A CANDIDATE FOR ELECTION TO THE CITY COUNCIL OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section fifty-three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section four of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, by chapter thirty-seven of the Special Acts of nineteen hundred and eighteen and by section sixteen of chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the fourteenth line, the word "one" and inserting in place thereof the word:—three,—so that the paragraph included in lines one to twenty, inclusive, will read as follows:—*Section 53.* Any registered voter who is qualified to vote for a candidate for any municipal elective office in such city may be a candidate for nomination thereto, and his name as such candidate shall be printed on the official ballot to be used at the municipal election; provided, that at or before five o'clock P.M. of the twenty-first day prior to such election nomination papers prepared and issued by the election commissioners, signed in person for the nomination for mayor by at least three thousand registered voters in said city qualified to vote for such candidate at said election, signed in person for the nomination for school committee by at least two thousand registered voters in said city qualified to vote for such candidate at said election and signed in person for the nomination for city councillor by at least three hundred registered voters in the ward, for which said nomination is sought, qualified to vote for such candidate at said election shall be filed with said election commissioners and the signatures on the same to the number required to make the nomination subsequently certified by the election commissioners as hereinafter provided. Said nomination papers shall be in substantially the following form: *Approved March 18, 1925.*

1925.—CHAPTER 152.

AN ACT TO PROVIDE FOR THE CARE AND TREATMENT OF CERTAIN RETIRED MEMBERS OF THE BOSTON RETIREMENT SYSTEM OUT OF THEIR RETIREMENT ALLOWANCES.

Be it enacted, etc., as follows:

Section twenty-six of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by adding at the end thereof the following new paragraph:—

If a retired member becomes a charge upon the city of Boston the expense incurred by said city for his maintenance and support shall be deducted from his retirement allowance under the retirement system as said allowance becomes due and payable, and the amount of such deduction shall thereupon be paid over to the city collector of said city who shall credit the same to general income,—so as to read as follows:—*Section 26.* Any amounts paid or payable by the city of Boston under the provisions of the workmen's compensation law to a member or to the dependents of a member on account of death or disability shall be offset against and payable in lieu of any benefits payable out of funds provided by the city of Boston under the provisions of this act on account of the death or disability of a member. If the value of the total commuted benefits under the workmen's compensation law is less than the reserve on the pension otherwise payable under this act, the value of such commuted payments shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

If a retired member becomes a charge upon the city of Boston the expense incurred by said city for his maintenance and support shall be deducted from his retirement allowance under the retirement system as said allowance becomes due and payable, and the amount of such deduction shall thereupon be paid over to the city collector of said city who shall credit the same to general income.

Approved March 20, 1925.

1925.—CHAPTER 171.

AN ACT RELATIVE TO PROCEEDINGS IN SUITS ON CONSTABLES' BONDS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixty-four of the acts of eighteen hundred and fourteen, entitled "An Act for regulating the proceedings in suits upon Constables' Bonds in the town of Boston" and approved March first, eighteen hundred and fifteen, is hereby repealed.

SECTION 2. After the effective date of this act, suits upon bonds of constables in the city of Boston shall be governed by the provisions of general law; provided, that nothing herein contained shall affect any such bond in force on said date.

SECTION 3. This act shall take effect upon its passage.

Approved March 27, 1925.

1925.—CHAPTER 193.

AN ACT TO AUTHORIZE THE TRANSIT DEPARTMENT OF THE CITY OF BOSTON TO MAKE CONTRACTS FOR TEMPORARY USE OF PORTIONS OF THE EXTENSION OF RAPID TRANSIT FACILITIES IN THE DORCHESTER DISTRICT.

See 1923, ch. 480.

1925.—CHAPTER 206.

AN ACT PROVIDING THAT INTEREST DURING CONSTRUCTION SHALL BE DEEMED A PART OF THE COST OF THE EXTENSION OF THE DORCHESTER TUNNEL IN DETERMINING THE RENTAL THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Interest paid by the city of Boston upon bonds issued to pay for the cost of alterations and changes and additions and extensions to the Dorchester tunnel, authorized by chapter four hundred and eighty of the acts of nineteen hundred and twenty-three, during construction and until the use of the premises authorized by said chapter or of a part thereof is begun, shall be deemed to be a part of the said cost, and the rental of the existing tunnel shall not be increased by reason of any expenditures for or on account of said alterations, changes, additions or extensions until such use is begun. When the use of the premises authorized by said chapter or of a part thereof by the Boston Elevated Railway is begun, it shall be entitled to use said alterations and changes and additions and extensions to the Dorchester tunnel under and in accordance with and subject to the terms and conditions of the existing contract for the use of the Dorchester tunnel, and the cost of said alterations and changes and additions and extensions, together with interest on said bonds during construction, shall be added to and become a part of the sum upon which thereafter the rental of said tunnel under said contract is based.

SECTION 2. This act shall take effect upon its acceptance by the Boston Elevated Railway Company by vote of its directors and the filing of a certificate of such vote with the state secretary.

Approved March 31, 1925.

Accepted by the Company, April 13, 1925.

1925.—CHAPTER 219.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES, THE HEIGHT AND BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS IN SPECIFIED DISTRICTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by inserting at the end of the fifth paragraph, entitled "Lot" the following new sentence:—Two or more buildings other than accessory buildings upon a single parcel of land shall be deemed to occupy separate lots,—so that said paragraph will read as follows:—*Lot:* Land occupied or to be occupied by a building and its accessory buildings, and including the open spaces required under this act. Two or more buildings other than accessory buildings upon a single parcel of land shall be deemed to occupy separate lots.

SECTION 2. Said section one of said chapter four hundred and eighty-eight is hereby further amended by inserting at the end of the eighth paragraph, entitled "*Yard, Rear*", the following new sentence:—Where said lines are not parallel the mean

depth of the rear yard shall be considered its minimum depth, provided that at no point shall its depth thereby be reduced to less than twelve feet,—so that said paragraph will read as follows:—*Yard, Rear:* An open, unoccupied space on the same lot with a building and between the extreme rear line of said building and the rear line of the lot. Where said lines are not parallel the mean depth of the rear yard shall be considered its minimum depth, provided that at no point shall its depth thereby be reduced to less than twelve feet.

SECTION 3. Section three of said chapter four hundred and eighty-eight is hereby amended by striking out clause (a) of paragraph (8) and inserting in place thereof the following:—
(a) A garage, except garage space for not more than two automobiles, of which not more than one may be a commercial automobile, licensed as provided in paragraph (9).

SECTION 4. Section four of said chapter four hundred and eighty-eight is hereby amended by inserting after the word “physicians’” in the sixteenth line the words:—or dentists’,—so that the last paragraph will read as follows:—In a general residence district the building commissioner may grant a permit for physicians’ or dentists’ offices, provided the building or use is not detrimental or injurious to the residential character of the neighborhood.

SECTION 5. Paragraph (22) of section six of said chapter four hundred and eighty-eight is hereby amended by striking out, in the second line of said paragraph, the word “two” and inserting in place thereof the word:—five,—so as to read as follows:—(22) Petroleum or other inflammable liquids: storage in excess of five thousand gallons or manufacture of any of its by-products.

SECTION 6. The last paragraph of section ten of said chapter four hundred and eighty-eight is hereby amended by inserting after the word “lot” in the first line the words:—, whether occupied by a building erected prior to June fifth, nineteen hundred and twenty-four or not,—so that said paragraph will read as follows:—No lot, whether occupied by a building erected prior to June fifth, nineteen hundred and twenty-four or not, shall be so reduced that the yards, courts or other open spaces shall be smaller than prescribed by this act. No yard, court or other open space shall at any time be counted as required open space for more than one building.

SECTION 7. Section thirteen of said chapter four hundred and eighty-eight is hereby amended by striking out, in lines twenty-five to thirty, inclusive,* the words “Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines ten feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.”

SECTION 8. Section fourteen of said chapter four hundred and eighty-eight is hereby amended by striking out, in lines ten to fifteen, inclusive, the words “*Set-back:* Between the lines of

* Lines twenty-four to twenty-nine, inclusive, in this compilation.

streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines five feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades."

SECTION 9. Section sixteen of said chapter four hundred and eighty-eight is hereby amended by inserting at the end of paragraph (9) the following new sentence:—No yard is required for one story buildings other than dwellings,—so that said paragraph will read as follows:—(9) No part of a yard required for a dwelling shall be higher in level above the floor of the first dwelling story than one foot for each two feet of distance from the building or for other buildings a similar distance above the second story floor. No yard is required for one story buildings other than dwellings.

SECTION 10. The second paragraph of section seventeen of said chapter four hundred and eighty-eight is hereby amended by striking out, in the second and third lines of said paragraph, the words "a building or use authorized on" and inserting in place thereof the words:—the provisions of this act governing,—so as to read as follows:—Where the boundary line of a district divides a lot in a single or joint ownership at the time such district is established, the provisions of this act governing the less restricted portion of such lot may extend to the entire lot but in no case for a distance of more than thirty feet.

SECTION 11. The third paragraph of section nineteen of said chapter four hundred and eighty-eight is hereby amended by adding at the end thereof the following new sentence:—The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure,—so as to read as follows:—The board of appeal may vary the application of this act in specific cases wherein its enforcement would involve practical difficulty or unnecessary hardship and wherein desirable relief may be granted without substantially derogating from the intent and purpose of this act, but not otherwise. No such variance shall be authorized except by the unanimous decision of the entire membership of the board, rendered upon a written petition addressed to the board and after public hearing thereon, of which notice shall be mailed to the petitioner and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

SECTION 12. The second paragraph of section twenty of said chapter four hundred and eighty-eight is hereby amended by adding at the end thereof the following:—A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map shall be deemed to comply with this section only in case the written record of such decision is signed by not less than four fifths of the members of the board qualified to act. If less than a majority of the board is present at any

public hearing or at any executive session, the members actually present may adjourn the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

SECTION 13. This act shall take effect upon its passage.

Approved April 6, 1925.

1925.—CHAPTER 251.

AN ACT RELATIVE TO PAYMENT BY THE CITY OF BOSTON INTO THE CHARLES RIVER BASIN LOAN SINKING FUND OF THE BALANCE DUE ON ACCOUNT OF THE CONSTRUCTION OF THE EMBANKMENT AND PARK ON THE BOSTON SIDE OF THE CHARLES RIVER AND THE DISTRIBUTION OF THE SURPLUS IN SAID FUND.

See 1903, ch. 465.

1925.—CHAPTER 258.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE CONSTRUCTION OF A NEW BRIDGE OVER FORT POINT CHANNEL AT CONGRESS STREET.

Not accepted.

1925.—CHAPTER 271.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriation for municipal purposes for year ended December 31, 1925 — \$11.75.)

1925.—CHAPTER 278.

AN ACT AUTHORIZING THE CITY OF BOSTON TO INCUR INDEBTEDNESS FOR THE PURPOSE OF IMPROVING THE FERRY SYSTEM BETWEEN BOSTON AND EAST BOSTON.

(East Boston Ferry Loan Act 1925.)

Accepted June 9, 1925.

Section 1, Amended 1926, ch. 94, s. 1.

See 1869, ch. 155.

1925.—CHAPTER 309.

AN ACT TO REGULATE APPROPRIATIONS FOR GENERAL AND CERTAIN OTHER SCHOOL PURPOSES IN THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, Clauses "a" "d" "e" "f" "h" and "i" and increases tax limit.)

Accepted by Mayor and City Council, May 26, 1925.

Accepted by School Committee, June 1, 1925.

1925.—CHAPTER 321.

AN ACT PROVIDING FOR THE ALTERATION OF THE SURFACE STRUCTURE OF THE HARVARD SQUARE STATION OF THE CAMBRIDGE SUBWAY.

See 1918 (S) ch. 159; 1924, ch. 444.

1925.—CHAPTER 323.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY AND LEVY A TAX FOR THE WIDENING OF RIVER STREET IN THE HYDE PARK AND MATTAPAN DISTRICTS AND THE REBUILDING OF A BRIDGE OVER A RAILROAD LOCATION.

Not accepted (See 1926, ch. 260).

1925.—CHAPTER 325.

AN ACT AUTHORIZING THE WIDENING OF MORTON STREET IN THE CITY OF BOSTON FROM MORTON ROAD TO CANTERBURY STREET AND FROM CODMAN STREET TO MANCHESTER STREET, THE EXTENSION OF THE LAST MENTIONED SECTION OF MORTON STREET TO WASHINGTON STREET AND THE WIDENING OF SAID LAST NAMED STREET TO ITS JUNCTION WITH RIVER STREET.

(Boston-Morton Street Improvement Loan Act 1925.)

Accepted July 14, 1925.

1925.—CHAPTER 327.

AN ACT TO REGULATE APPROPRIATIONS FOR CONSTRUCTION AND CERTAIN OTHER PURPOSES BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, Clause "b" and increase tax limit.)

1925.—CHAPTER 329.

AN ACT TO AUTHORIZE THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A NEW BRIDGE OVER THE CHARLES RIVER BETWEEN THE LARZ ANDERSON BRIDGE, SO-CALLED, AND THE WESTERN AVENUE BRIDGE.

1925.—CHAPTER 330.

AN ACT TO PROVIDE FOR THE LAYING OUT AND CONSTRUCTION OF A SOUTHERN ROUTE TO ACCOMMODATE TRAFFIC BETWEEN BOSTON AND THE TERRITORY TO THE SOUTH AND EAST THEREOF.

(Boston part to be maintained by Boston.)

See 1926, ch. 369; 1927, ch. 177; 1929, ch. 382, and 1931, ch. 281.

1925.—CHAPTER 333.

AN ACT TO PROVIDE FOR THE WIDENING AND CONSTRUCTION OF DOCK SQUARE, FANEUIL HALL SQUARE AND ADJACENT STREETS IN THE CITY OF BOSTON.

(Dock Square and Faneuil Hall Square Bonds. Relates to tax limit.)
Section 1, Amended 1931, ch. 169, s. 1.

1925.—CHAPTER 341.

AN ACT PROVIDING FOR THE ELIMINATION OF THE CROSSING AT GRADE AT GOVERNOR SQUARE IN THE CITY OF BOSTON BY STREET RAILWAY CARS USING THE BOYLSTON STREET SUBWAY, AND DEFINING THE TERM "TRANSIT DEPARTMENT OF THE CITY OF BOSTON" AS USED IN CERTAIN STATUTES.

Be it enacted, etc., as follows:

SECTION 1. Where used in this act and other statutes subsequent to June third, nineteen hundred and eighteen, the term "Transit Department of the city of Boston" shall denote the officers designated by chapter one hundred and eighty-five of the Special Acts of nineteen hundred and eighteen to exercise and perform the powers and duties conferred upon the city of Boston by said chapter or such person or persons as may be appointed by the mayor under the authority thereof.

SECTION 2. The transit department of the city of Boston may make such alterations in and extensions to the Boylston street subway as it may deem necessary for the purpose of eliminating the crossing at grade of Governor square by cars using said subway, for the improvement of street car service on Commonwealth avenue and Beacon street, for the purpose of providing means for a convenient interchange of passengers between cars or trains operated in said subway and those operated on surface lines connecting therewith and for improving the transportation facilities furnished in said subway, and to that end shall have the powers conferred upon the Boston transit commission by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven and amendments thereof. The cost of such alterations and extensions shall be met by bonds to be issued by the city of Boston in the same manner as bonds issued to meet the original cost of the Boylston street subway. No such work shall be done, however, unless and until a plan therefor shall be approved by the division of metropolitan planning of the metropolitan district commission, and unless and until the Boston Elevated Railway Company shall execute a lease of such alterations and extensions for a term ending with that of the lease of said subway. Such lease shall provide that the company shall pay to the city of Boston a rental at the rate of four and one half per cent per annum upon the net cost of such alterations and extensions, provided, however, that the annual rental shall be sufficient to provide an amount equal to one half of one per cent of said net cost in addition to the annual amount of interest on the bonds

issued to pay for said net cost, but not less than said four and one half per cent in any event. The lease shall be in the same general form as those authorized by said chapter seven hundred and forty-one, except in so far as any other provisions may be agreed upon by said transit department and the company as specially applicable to the demised premises. The said net cost shall be determined in the manner provided in said chapter seven hundred and forty-one, and the rental shall be paid in instalments corresponding to the requirements for the payment of rental of said Boylston street subway. Any alteration or extension made under this act shall be deemed a part of the Boylston street subway.

SECTION 3. Except as otherwise authorized by the department of public utilities, all construction work, provided for by this act shall be open to competitive bidding, shall be advertised in a reasonable number of newspapers for proposals for the performance of such work, and shall be awarded to the lowest responsible and eligible bidder, and written contracts shall be made with such bidder.

Approved May 1, 1925.

Section 2, Amended 1930, ch. 394, s. 1; 1935, ch. 100, s. 1.

Section 3, Amended 1930, ch. 394, s. 2; 1935, ch. 100, s. 2.

Section 4, Added 1930, ch. 394, s. 3.

Section 5, Added 1930, ch. 394, s. 3; Amended 1935, ch. 100, s. 3.

Section 6, Added 1930, ch. 394, s. 3.

See 1894, ch. 548, s. 23; 1918 (S) ch. 159.

1926.—CHAPTER 16.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO GRANT THE DEGREE OF MASTER OF EDUCATION AT THE TEACHERS COLLEGE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The school committee of the city of Boston may grant the degree of Master of Education to graduates of colleges or universities who have satisfactorily completed a graduate course of instruction in The Teachers College of the City of Boston as prescribed by the board of superintendents, in addition to the degrees it may now grant to graduates of said college under authority of chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-two and chapter one hundred and forty-two of the acts of nineteen hundred and twenty-four.

Approved February 4, 1926.

1926.—CHAPTER 94.

AN ACT MAKING THE PROCEEDS OF CERTAIN LOANS AUTHORIZED TO BE ISSUED BY THE CITY OF BOSTON FOR THE CONSTRUCTION OF FERRY BOATS FOR THE EAST BOSTON FERRY SYSTEM AVAILABLE FOR CERTAIN OTHER PERMANENT IMPROVEMENTS IN SAID SYSTEM.

See 1925, ch. 278.

1926.—CHAPTER 105.

AN ACT RELATIVE TO NOMINATIONS FOR MUNICIPAL ELECTIVE OFFICES
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section four of chapter seven hundred and thirty of the acts of nineteen hundred and fourteen, by chapter thirty-seven of the Special Acts of nineteen hundred and eighteen, by section sixteen of chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-four and by chapter one hundred and thirty-six of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the sixth and seventh lines, the words "twenty-first day" and inserting the words:—sixth Tuesday,—so that the first paragraph will read as follows:—*Section 53.* Any registered voter who is qualified to vote for a candidate for any municipal elective office in such city may be a candidate for nomination thereto, and his name as such candidate shall be printed on the official ballot to be used at the municipal election; provided, that at or before five o'clock P. M. of the sixth Tuesday prior to such election nomination papers prepared and issued by the election commissioners, signed in person for the nomination for mayor by at least three thousand registered voters in said city qualified to vote for such candidate at said election, signed in person for the nomination for school committee by at least two thousand registered voters in said city qualified to vote for such candidate at said election and signed in person for the nomination for city councillor by at least three hundred registered voters in the ward, for which said nomination is sought, qualified to vote for such candidate at said election shall be filed with said election commissioners and the signatures on the same to the number required to make the nomination subsequently certified by the election commissioners as hereinafter provided. Said nomination papers shall be in substantially the following form:

SECTION 2. Section fifty-four of said chapter four hundred and eighty-six, as amended by section five of said chapter seven hundred and thirty, by chapter three hundred and forty of the acts of nineteen hundred and twenty-one and by section seventeen of said chapter four hundred and seventy-nine, is hereby further amended by striking out, in the eleventh and twelfth lines, the words "fifth Wednesday" and inserting in place thereof the words:—ninth Tuesday,—and also by striking out, in the twenty-sixth and twenty-seventh lines, the words "or not more than sixty such nomination papers for a borough",—so as to read as follows:—*Section 54.* If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto and no more. Nomination

papers shall be issued by the board of election commissioners on and after but not before the ninth Tuesday preceding the regular municipal election. Such papers shall be issued only to candidates who shall file with the election commissioners requests therefor in writing, containing their names with the first or middle name in full, the offices for which they are candidates, and their residences, with street and number, if any. Forthwith the election commissioners shall print or insert on such nomination papers the names of the candidates, the offices for which they are nominated and their residences, with street and number, if any. Not more than three hundred such nomination papers shall be issued to any candidate for mayor, and not more than two hundred such nomination papers shall be issued to any candidate for the school committee and to any candidate for the city council there shall be issued not more than ten such nomination papers for a ward. No nomination papers except those issued in accordance with the provisions of this section shall be received or be valid.

SECTION 3. Said chapter four hundred and eighty-six, as amended in section fifty-six by section six of said chapter seven hundred and thirty and by section two of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section fifty-six and inserting in place thereof the following:—*Section 56.* The names of candidates appearing on nomination papers shall when filed be a matter of public record; but the nomination papers shall not be open to public inspection until after certification. After such nomination papers have been filed, the election commissioners shall certify thereon the number of signatures which are the names of registered voters in the city qualified to sign the same. They shall not certify a greater number of names than are required to make a nomination, with one tenth of such number added thereto. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid. The election commissioners shall complete such certification on or before five o'clock P. M. on the twentieth day preceding the city election. Such certification shall not preclude any voter from filing objections as to the validity of the nomination. All withdrawals and objections to such nominations shall be filed with the election commissioners on or before five o'clock P. M. on the fourteenth day preceding the city election. All substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock P. M. on the thirteenth day preceding the city election.

SECTION 4. This act shall take effect upon its passage.

Approved March 12, 1926.

1926.—CHAPTER 117.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriation for municipal purposes for year ending December 31, 1926, \$14.00.)

1926.—CHAPTER 140.

AN ACT RELATIVE TO THE BUSINESS AGENT OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and eighteen of the acts of nineteen hundred and six is hereby amended by striking out section one and inserting in place thereof the following:— *Section 1.* The school committee of the city of Boston shall choose a secretary, not of their own number, who shall also serve as secretary to the board of superintendents, and a business manager, who shall hold their respective offices until removed by the committee for cause. The committee may also elect and remove such other subordinate officers not specifically provided for by law as they may deem expedient. The business manager shall in writing approve and transmit to the auditor of said city all vouchers, pay rolls and other documents calling for the expenditure of money, together with summarized requisitions on said auditor, approved by the committee or by any authorized member thereof, and requesting said auditor to place said vouchers, pay rolls and other documents on his draft for payment by the treasurer of said city.

SECTION 2. The title of the present holder of the office of business agent of the school committee of the city of Boston shall hereafter be business manager, and as such officer, he shall continue to be under the civil service.

SECTION 3. This act shall take effect upon its passage.

Approved March 24, 1926.

1926.—CHAPTER 153.

AN ACT TO REGULATE APPROPRIATIONS FOR CERTAIN SCHOOL PURPOSES IN THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, clauses "c" "d" and "e" and increases tax limit.)

Accepted by Mayor and City Council, May 11, 1926.

Accepted by School Committee, May 17, 1926.

1926.—CHAPTER 157.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE CONSTRUCTION OF A NEW CONGRESS STREET BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing a new bridge at Congress street over Fort Point channel, the city of Boston may from time to time, within a period of five years from the passage of this act, borrow outside the statutory limit of indebtedness such sums as may be necessary, not exceeding, in the aggregate, eight hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Boston Congress Street Bridge Loan, Act of 1926. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no loan shall be authorized under this act unless a sum equal to an amount not less than ten

per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue. Any sum to be raised by taxation shall be outside the tax limit as fixed for the city in the year in which the loan is authorized. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by the city of Boston.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its city charter; provided, that such acceptance occurs during the current year.

Approved March 26, 1926.

Accepted, October 26, 1926.

See 1868, ch. 326.

1926.—CHAPTER 182.

AN ACT RELATIVE TO HOSPITAL BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Every building in the city of Boston exceeding three stories or forty feet in height hereafter erected, altered or designed for use or occupation as a hospital shall be provided with not less than two fireproof enclosed stairways, and such additional like stairways as the building commissioner of said city, in this act called the commissioner, may determine to be necessary. All of said stairways shall be so located with the approval of the commissioner as to furnish a ready and unobstructed means of egress from all parts of the building. All of said stairways and the stair landings shall have such clear width between hand rails and wall as the commissioner may require, but in no event less than forty-four inches, and the stair landings shall be free from steps and winders. At least one of the stairways shall communicate with the roof of the building, and all the stairways shall have such exits to grade as the commissioner may require. Such smokeproof doors shall be installed in the building as the commissioner may require.

SECTION 2. The board of appeal provided for by section six of chapter five hundred and fifty of the acts of nineteen hundred and seven and amendments thereof shall act as a board of appeal under this act and under sections one and two of chapter one hundred and sixty-three of the Special Acts of nineteen hundred and nineteen, and the members thereof shall receive therefor the same compensation as is provided in said section six. Any person aggrieved by a requirement of the commissioner under this act or under said section one or two, or by a refusal of the commissioner to issue a permit on account thereof, may appeal within ninety days after being notified of such requirement or refusal to the board of appeal. The appellant shall pay to the commissioner a fee of ten dollars before his appeal shall be heard by the board, and all such fees shall be deposited by the commissioner with the city collector not later than one week after receipt. After notice given to such parties as the board shall order, a hearing shall be had and the board shall affirm, annul or modify the requirement or refusal of the commissioner and shall notify the commissioner and the appellant thereof. If the requirement or refusal is affirmed, it shall have full force and effect, but if annulled or modified, the commissioner shall revoke or amend

the requirement appealed from or shall issue a permit, if a permit has been refused, in accordance with the decision of the board. Decisions of the board hereunder shall be in writing and shall require the assent of at least three members.

SECTION 3. So much of said chapter one hundred and sixty-three as is inconsistent herewith shall not apply to hospital buildings described in section one.

SECTION 4. Violation of this act shall be punished by a fine of not more than five hundred dollars.

SECTION 5. This act shall take effect upon its passage.

Approved April 2, 1926.

1926.—CHAPTER 218.

AN ACT RELATIVE TO PAYMENT BY THE CITY OF BOSTON INTO THE CHARLES RIVER BASIN LOAN SINKING FUND OF THE BALANCE DUE ON ACCOUNT OF THE CONSTRUCTION OF THE EMBANKMENT AND PARK ON THE BOSTON SIDE OF THE CHARLES RIVER BASIN AND THE DISTRIBUTION OF THE SURPLUS IN SAID FUND.

See 1903, ch. 465; 1906, ch. 402.

1926.—CHAPTER 220.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE WIDENING OF OAKLAND AND ASHLAND STREETS.
(Boston, Oakland and Ashland Streets Improvement Loan Act of 1926. Increases tax limit.)

Accepted, May 25, 1926.

1926.—CHAPTER 240.

AN ACT TO PROVIDE FOR REMOVING OR REPLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

(Relates to years 1927 to 1931, inclusive.)

See 1894, ch. 454.

1926.—CHAPTER 259.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING A PUMPING STATION AND OUTLET FOR SEWAGE DISPOSAL IN EAST BOSTON.

(East Boston Pumping Station and Outlet Loan Act of 1926. Increases tax limit.)

Accepted, May 24, 1926.

1926.—CHAPTER 260.

AN ACT RELATIVE TO THE RECONSTRUCTION BY THE CITY OF BOSTON OF RIVER STREET IN THE HYDE PARK AND MATTAPAN DISTRICTS AND THE REBUILDING OF A BRIDGE OVER A RAILROAD LOCATION.

Be it enacted, etc., as follows:

SECTION 1. The board of street commissioners of the city of Boston, with the approval of the mayor, may lay out, widen and reconstruct River street in the city of Boston from Everett

square to Mattapan square to a width of not less than fifty feet, and may also alter and reconstruct the bridge over the tracks of the Midland division of the New York, New Haven and Hartford Railroad and the approaches thereto at or near the River street station, so-called, of said railroad. The said widening and reconstruction of River street and the assessment of betterments therefor shall be in accordance with the provisions of chapter three hundred and ninety-three of the acts of nineteen hundred and six, as amended by chapter five hundred and thirty-six of the acts of nineteen hundred and thirteen and chapters seventy-nine and eighty of the General Laws.

SECTION 2. The expense of such alteration and reconstruction of said bridge and approaches thereto shall be paid in accordance with any existing or future decrees relating thereto, and all reimbursements received by the city on account of such alteration and reconstruction shall be applied to the payment of indebtedness issued under authority of this act.

SECTION 3. For the purpose of meeting the expense of the work authorized under section one, the city of Boston may borrow, outside the statutory limit of indebtedness, from time to time within a period of five years from the effective date of this act, such sums as may be necessary, not exceeding in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, River Street Reconstruction Loan, Act of 1926. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no loan shall be authorized under this section unless a sum equal to ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue. Any sum to be raised by taxation shall be outside the tax limit as fixed for the city in the year in which the loan is authorized. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

SECTION 4. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs during the current year.

Approved April 16, 1926.

Accepted, May 24, 1926.

1926.— CHAPTER 314.

AN ACT RELATIVE TO APPROPRIATIONS FOR CONSTRUCTION AND CERTAIN OTHER PURPOSES BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, clause "b" — increases tax limit.)

1926.— CHAPTER 327.

AN ACT RELATIVE TO THE CONSTRUCTION OF COTTAGE FARM BRIDGE AND CERTAIN OTHER BRIDGES OVER THE CHARLES RIVER BASIN.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one is hereby

amended by adding at the end thereof the following new paragraph:— If, when the River street-Brighton street bridge and its approaches shall have been completed and the full cost thereof ascertained, the Boston Elevated Railway Company shall not have been granted a double track location on such bridge and shall not have agreed to pay the required percentage of the cost of the same, the part of the cost of such bridge which would otherwise have been assessed upon said company shall be assessed upon and contributed by the county, district, and cities charged with the payment of the balance of the same, in the same proportion as the parts of such balance required to be paid by them, respectively; and the additional amounts so assessed shall be included in the certifications by the state treasurer, hereinbefore provided for.

SECTION 2. Said chapter four hundred and ninety-seven, as affected by chapter five hundred and one of the acts of nineteen hundred and twenty-one and by section one of chapter five hundred and seven of the acts of nineteen hundred and twenty-four and as amended by chapter four hundred and sixteen of the acts of said year, is hereby further amended by adding after section sixteen, added by said chapter four hundred and sixteen, the following new section:— *Section 17.* As a part of the construction of the new Brookline street-Essex street-Cottage Farm bridge and its approaches, the commission is authorized to fill the Charles River Basin to a distance not exceeding two hundred and fourteen feet, exclusive of slopes, northerly from the United States harbor line on the Boston side, and to a distance not exceeding fifty-seven feet, exclusive of slopes, southerly from the United States harbor line on the Cambridge side. For the cost of construction of said bridge, including the work authorized under this section, the commission may expend a further sum, not exceeding two hundred thousand dollars, in addition to the amounts authorized by sections four and sixteen. Pursuant to this act, as affected by chapter five hundred and one of the acts of nineteen hundred and twenty-one, the state treasurer may borrow on the credit of the commonwealth such further sums, not exceeding, in the aggregate, two hundred thousand dollars, as may from time to time be required, and may issue and renew notes of the commonwealth carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council, said notes to be for such term or terms as shall be recommended by the governor in pursuance of section three of Article LXII of the amendments to the constitution. The additional construction cost incurred under the provisions of this section, including interest, shall be determined and assessed in accordance with the provisions of section five relative to the Essex street-Brookline street-Cottage Farm bridge and approaches.

SECTION 3. Notwithstanding the provisions of section four of said chapter four hundred and ninety-seven, the maximum cost of construction, as defined in said section four, of the bridge between Watertown and Boston, the Western avenue bridge and the River street-Brighton street bridge, severally authorized to be constructed by said chapter, shall be two hundred thousand dollars, three hundred and twenty-five thousand dollars and three hundred thousand

dollars, respectively; provided, that nothing in this section shall authorize any further borrowing on the credit of the commonwealth.

Approved May 8, 1926.

Section 3, Amended 1927, ch. 320, s. 2.

1926.—CHAPTER 350.

AN ACT RELATIVE TO THE POWERS OF THE BOARD OF APPEAL OF THE BUILDING DEPARTMENT OF THE CITY OF BOSTON TO VARY THE APPLICATION OF THE BOSTON ZONING LAW IN RESPECT TO THE HEIGHT OF BUILDINGS.

Be it enacted, etc., as follows:

SECTION 1. Section nineteen of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by section eleven of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting after the fourth paragraph the following new paragraph:—No decision of the board of appeal permitting the erection or alteration of a building to an extreme height greater than that otherwise authorized under the provisions of this act for the lot or building in question shall be effective until and unless confirmed by the board of zoning adjustment, as provided in section twenty. Immediately following the board's final decision in any such case a copy of the record shall be certified to the board of zoning adjustment, — and by inserting after the word "appeal" in the first line of the fifth paragraph the words:—, except a decision permitting the erection or alteration of a building to an extreme height greater than that otherwise authorized under the provisions of this act, — so as to read as follows:— *Section 19.* The board of appeal provided for in paragraph one of section six of the aforesaid building law shall act as a board of appeal under this act, and the members thereof shall receive for acting under this act the same compensation as provided in the aforesaid building law.

Any applicant for a permit under this act whose application has been refused may appeal therefrom within ninety days. Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of ten dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once a week.

The board of appeal may vary the application of this act in specific cases wherein its enforcement would involve practical difficulty or unnecessary hardship and wherein desirable relief may be granted without substantially derogating from the intent and purpose of this act, but not otherwise. No such variance shall be authorized except by the unanimous decision of the entire membership of the board, rendered upon a written petition addressed to the board and after public hearing thereon, of which notice shall be mailed to the petitioner and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid.

No decision of the board of appeal permitting the erection or alteration of a building to an extreme height greater than that otherwise authorized under the provisions of this act for the lot or building in question shall be effective until and unless confirmed by the board of zoning adjustment, as provided in section twenty. Immediately following the board's final decision in any such case a copy of the record shall be certified to the board of zoning adjustment.

Any person aggrieved by a decision of the board of appeal, except a decision permitting the erection or alteration of a building to an extreme height greater than that otherwise authorized under the provisions of this act, whether previously a party to the proceeding or not, or any municipal officer or board may, within fifteen days after the entry of such decision, bring a petition in the supreme judicial court for the county of Suffolk for a writ of certiorari to correct errors of law therein, and the provisions of section four of chapter two hundred and forty-nine of the General Laws shall, except as herein provided, apply to said petition.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

SECTION 2. Said chapter four hundred and eighty-eight, as amended in section twenty by section twelve of said chapter two hundred and nineteen, is hereby further amended by striking out said section twenty and inserting in place thereof the following:—*Section 20.* There shall be a board of zoning adjustment to consist of twelve members as follows:—The chairman of the city planning board ex officio, and eleven members appointed by the mayor in the following manner: one member from two candidates to be nominated by the Associated Industries of Massachusetts, one member from two candidates to be nominated by the Boston Central Labor Union, one member from two candidates to be nominated by the Boston Chamber of Commerce, one member from two candidates to be nominated by the Boston Real Estate Exchange, one member from two candidates to be nominated by the Massachusetts Real Estate Exchange, one member from two candidates, one to be nominated by the Boston Society of Architects and one by the Boston Society of Landscape Architects, one member from two candidates to be nominated by the Boston Society of Civil Engineers, one member from two candidates to be nominated by the Master Builders' Association of Boston, one member from two candidates to be nominated by the Team Owners Association, one member from two candidates to be nominated by the United Improvement Association, and one member to be selected by the mayor. All appointive members shall be residents of or engaged in business in Boston. All

appointments after the initial appointments shall be for the term of five years. Vacancies among the appointive members shall be filled in the same manner in which original appointments are made. The several heads of departments of the city of Boston shall on request of the board supply it with all information in their possession useful for its duties.

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston. Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land. No such change shall be made except by the decision of not less than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. No member shall act in any case in which he is personally interested either directly or indirectly. A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map or confirming a decision of the board of appeal shall be deemed to comply with this section only if the written record of such decision is signed, in case of any change of boundaries as aforesaid, by not less than four fifths, or in case of any confirmation of a decision of the board of appeal, by not less than two thirds, of the members of the board qualified to act. If less than a majority of the board is present at any public hearing or at any executive session, the members actually present may adjourn the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

The board shall review the decision of the board of appeal within forty-five days of the certification to it of a copy of the record thereof in every case wherein permission is granted to erect or alter a building to an extreme height greater than that otherwise authorized under the provisions of this act for the lot or building in question, said review to determine whether or not the relief granted derogates from the intent and purpose of this act. No such

permission shall be confirmed except by decision of not less than two thirds of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon of which notice shall be given as provided in case of a public hearing under the preceding paragraph. If the lot or building in question abuts upon a public park, notice shall also be mailed to the park commissioners of the city of Boston.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner of Boston and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid. Upon any decision changing the zoning map, on file at the state secretary's office, an amended map showing such change endorsed by the chairman of said board shall be filed forthwith at said office.

If a change be favorably decided upon or if a decision of the board of appeal shall be confirmed, any person aggrieved or any municipal officer or board may, within fifteen days after the entry of such decision, bring a petition in the supreme judicial court for the county of Suffolk for a writ of certiorari setting forth that such decision is in whole or part not in accordance with the duties and powers of such board as above prescribed and specifying the particulars of such non-compliance. The provisions of section four of chapter two hundred and forty-nine of the General Laws shall, except as herein provided, apply to said petition.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

The board shall not reduce in any way the area of the one hundred and fifty-five foot district established by this act.

The board shall report its doings annually on or before the tenth day of February to the mayor of Boston and to the general court.

If any area is hereafter transferred to another district by a change in district boundaries either by action of the board of zoning adjustment or by an amendment to this act, the buildings and uses then existing within said area shall be subject to the provisions of this act with reference to existing buildings or uses in the district to which the area is removed.

Approved May 17, 1926.

1926.—CHAPTER 385.

AN ACT PROVIDING FOR THE FURTHER IMPROVEMENT OF THE AIR-CRAFT LANDING FIELD IN EAST BOSTON.

(City authorized to appropriate \$10,000 for airport.)

Accepted, July 13, 1926.

See 1931, ch. 271; See Resolves 1924, ch. 64.

1926.—CHAPTER 390.

AN ACT ESTABLISHING THE STATUS OF OFFICIALS AND PUBLIC OFFICERS PAID BY THE CITY OF BOSTON OR THE COUNTY OF SUFFOLK OR BOTH IN RESPECT TO THE BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as amended by section three of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-three and by section one of chapter eighteen of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out paragraph (b) and inserting in place thereof the following:—(b) “Employee” shall mean any person regularly and permanently in the employ of the city of Boston or county of Suffolk and any official or public officer whose compensation is paid by said city or county or both, whether employed or appointed for a stated term or otherwise, (except persons elected by the people and except court officers of the supreme judicial and superior courts appointed prior to February first, nineteen hundred and twenty-three, and teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers’ retirement association) whose employment is such as to require that his time be devoted to the service of the city or county, or both, in each year during one half or more of the ordinary working hours of a city employee, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

SECTION 2. The membership, active or retired, in the Boston retirement system established by said chapter five hundred and twenty-one, of every person who at any time prior to the effective date of this act purportedly entered said system, if and in so far as such membership was illegal or invalid by reason of the fact that such person was at the time of such purported entrance to said system an official or a public officer, is hereby made legal and valid to the same extent as if the provisions of section one of this act had been in effect on and after February first, nineteen hundred and twenty-three.

SECTION 3. Any official or public officer appointed by the governor, with the advice and consent of the council, or by the justices of the supreme judicial or superior courts whose membership in said system is made legal and valid by the provisions of sections one and two of this act, may withdraw from membership in said system if a written notice signed by him that he desires so to withdraw is received by the Boston retirement board, established under said chapter five hundred and twenty-one, within thirty days after the effective date of this act, and upon the receipt of such notice as aforesaid his membership in the said system shall cease as of said effective date and none of the provisions of said chapter five hundred and twenty-one shall apply to him.

SECTION 4. Any official or public officer whose compensation is paid by the city of Boston or county of Suffolk, or both, who prior to the effective date of this act has not purportedly entered said system, and who is an employee as defined in section one of this act, shall, if otherwise eligible, be admitted to membership if he shall, within thirty days after said date, file with the said retirement board a written notice that he desires to be so admitted, and he shall, upon retirement, be entitled to the pension benefits for his service prior to February first, nineteen hundred and twenty-three, provided in section ten of said chapter five hundred and twenty-one.

SECTION 5. This act shall take effect upon its passage.

Approved May 29, 1926.

1927.—CHAPTER 33.

AN ACT CHANGING THE NAME OF CAMBRIDGE BRIDGE OVER THE CHARLES RIVER BASIN BETWEEN THE CITIES OF BOSTON AND CAMBRIDGE TO LONGFELLOW BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The bridge constructed under the authority of chapter four hundred and sixty-seven of the acts of eighteen hundred and ninety-eight, known as Cambridge bridge, and crossing the Charles river from Cambridge street in Boston to Main street in Cambridge, which bridge has sometimes been called the West Boston bridge, shall hereafter be known, designated and called the Longfellow bridge.

SECTION 2. The board of bridge commissioners having charge of the support, management and repair of said bridge is hereby authorized and directed to place upon said bridge in a conspicuous place a memorial tablet, dedicated to Henry Wadsworth Longfellow, should such a tablet be offered, and be approved by the mayor of Boston and by the mayor of Cambridge.

Approved February 12, 1927.

1927.—CHAPTER 40.

AN ACT TO BROADEN THE POWERS OF THE FRANKLIN FOUNDATION.

Be it enacted, etc., as follows:

Section three of chapter five hundred and sixty-nine of the acts of nineteen hundred and eight is hereby amended by adding at the end thereof the following new sentence:—Said corporation shall, in so far as the terms of the gift permit, have like powers with respect to the custody, management and control of any and all other funds heretofore given to the corporation or its predecessor the board of managers of the Franklin Fund for the accomplishment of any public purpose for the benefit of the inhabitants of the city of Boston, and also of any and all funds that may hereafter be given to the corporation for such purposes; and said corporation shall have power to accept any and all such funds without any other or further action by said city,—so as to read as follows:—*Section 3.* Said corporation shall also have the custody, management, and control of

that part of Franklin's gift which is now accumulating for the second hundred years under the terms of said codicil; but the legal title thereof shall continue to be in the city of Boston. Said corporation shall, in so far as the terms of the gift permit, have like powers with respect to the custody, management and control of any and all other funds heretofore given to the corporation or its predecessor the board of managers of the Franklin Fund for the accomplishment of any public purpose for the benefit of the inhabitants of the city of Boston, and also of any and all funds that may hereafter be given to the corporation for such purposes; and said corporation shall have power to accept any and all such funds without any other or further action by said city.

Approved February 15, 1927.

276 Mass. 549, 557.

1927.— CHAPTER 42.

AN ACT AUTHORIZING THE ERECTION IN CERTAIN SECTIONS OF THE CITY OF BOSTON OF METAL COVERED STEEL FRAME BUILDINGS.

Be it enacted, etc., as follows:

SECTION 1. Metal covered steel frame buildings constructed with concrete floors and fire-proof windows and not more than one story in height may be erected, subject to the approval of the building commissioner of the city of Boston, outside the building limits in said city as such limits existed prior to the twenty-second day of September, nineteen hundred and thirteen; provided, that they shall not be located within two feet of a lot line, or within five feet of a third-class building.

SECTION 2. Such buildings may be used for garages, and if so used may have a capacity of not over two cars and cover an area of not over six hundred square feet in that section of said city between the present building limits and said limits as existing prior to the twenty-second day of September, nineteen hundred and thirteen; and may have a capacity of not over three cars and cover an area of not over eight hundred and fifty square feet in that section of said city outside the present building limits.

SECTION 3. The board of appeal provided for by section six of chapter five hundred and fifty of the acts of nineteen hundred and seven and amendments thereof shall act as a board of appeal under this act, and the members thereof shall receive therefor the same compensation as is provided in said section six. Any person aggrieved by the refusal of the building commissioner to issue a permit on account of the provisions of section one may appeal to said board of appeal. The foregoing provisions of this act shall in all respects be subject to the provisions of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four and any amendment thereof.

SECTION 4. Chapter one hundred and fifteen of the Special Acts of nineteen hundred and eighteen is hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved February 21, 1927.

See 1907, ch. 550.

1927.—CHAPTER 76.

AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE LICENSING BOARD FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The secretary of the licensing board for the city of Boston shall receive such salary, not to exceed thirty-five hundred dollars, as shall be fixed by said board, subject to the approval of the mayor of said city.

Approved March 1, 1927.

Sec 1906, ch. 291, s. 2; Affected 1935, ch. 355.

1927.—CHAPTER 78.

AN ACT TO VALIDATE, RATIFY AND CONFIRM THE TAKING OF WARREN CEMETERY, SO-CALLED, FOR SCHOOL PURPOSES BY THE CITY OF BOSTON.

1927.—CHAPTER 192.

AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE SCHOOLHOUSE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter four hundred and seventy-three of the acts of nineteen hundred and one, as amended in section one by section one of chapter three hundred and seventy-six of the acts of nineteen hundred and four and by section one of chapter three hundred and eighty of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section one as amended as aforesaid and inserting in place thereof the following:—*Section 1.* The schoolhouse department of the city of Boston is hereby established and shall be under the charge of a board of three commissioners, citizens of Boston, appointed by the mayor of the city without confirmation. During the current year one of said commissioners shall be appointed for the term of three years, one for the term of two years and one for the term of one year, beginning with the first day of June of said year; and on or before the expiration of any term a commissioner shall be appointed for a term of three years, beginning with the first day of June in the year in which such term expires. Any vacancy occurring in the number of the commissioners shall be filled by appointment of a commissioner in the manner aforesaid, for the remainder of the term. The members of the board shall be paid salaries, the chairman at the rate of five thousand dollars per annum, and each of the other members at the rate of four thousand dollars per annum, or at such other rate per annum as may be fixed by the mayor and council. The salaries and other necessary administrative expenses of said department shall be apportioned by said department and paid out of such sums as shall be appropriated by said school committee for the construction and furnishing of new school buildings, both temporary and permanent, including the taking of land therefor, and for school yards, and the preparing of school yards for use, and for the rent of hired school accommodations, and for the alteration and repair of school buildings and for furniture, fixtures

and means of escape in case of fire, and for fire protection for existing buildings, and for improving existing school yards, which apportionment shall be approved by the mayor. The provisions of chapter two hundred and sixty-six of the acts of eighteen hundred and eighty-five and of all other acts relating to the departments of the city of Boston or the officers or employees thereof, so far as they may be applicable and not inconsistent herewith, shall apply to said department and to the officers and employees thereof. The said board shall make an annual report in writing of its doings, and of all the business transacted by it, to the mayor of the city of Boston, and said report shall be printed as a public document of said city.

Approved March 30, 1927.

1927.— CHAPTER 195.

AN ACT TO VALIDATE, RATIFY AND CONFIRM ACTION BY THE CITY OF BOSTON IN CONNECTION WITH THE TRANSFER OF ITS INTEREST IN A CERTAIN PART OF CHARLES RIVER AVENUE.

Be it enacted, etc., as follows:

SECTION 1. Section thirty of chapter five hundred and forty-eight of the acts of eighteen hundred and ninety-four is hereby amended by striking out, in the sixteenth, seventeenth and eighteenth* lines, the words “; and after such discontinuance the approaches thereto shall be kept open for landing places or other public uses”.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1927.

1927.— CHAPTER 220.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES, THE HEIGHT AND BULK OF BUILDINGS, AND THE OCCUPANCY OF LOTS IN SPECIFIED DISTRICTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The eighth paragraph of section one of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by section two of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five, entitled “*Yard, Rear*”, is hereby further amended by striking out the first sentence of said paragraph and inserting in place thereof the following:— A space on the same lot with a building, between the extreme rear line of said building and the rear line of the lot and open and unoccupied except by an unenclosed porch not exceeding sixty square feet in area,—so as to read as follows:—*Yard, Rear*: A space on the same lot with a building, between the extreme rear line of said building and the rear line of the lot and open and unoccupied except by an unenclosed porch not exceeding sixty square feet in area. Where said lines are not parallel the mean depth of the rear yard shall be considered its minimum depth, provided that at no point shall its depth thereby be reduced to less than twelve feet.

SECTION 2. The second paragraph of section eleven of said chapter four hundred and eighty-eight, entitled “*Height*”, is hereby amended by inserting after said word “*Height*” in the first line the words:— *and Occupancy*,— and by inserting after the word “*height*”

*The fourteenth and fifteenth lines in this compilation.

in the second line the words:— or accommodate or make provision for more than two families,— so as to read as follows:— *Height and Occupancy*: No building shall exceed thirty-five feet or two and one half stories in height or accommodate or make provision for more than two families.

SECTION 3. The fourth paragraph of said section eleven, entitled "*Side Yards*", is hereby amended by striking out, in the fifth and sixth lines of said paragraph, the words "three inches for every ten feet or fraction thereof that the length of the side yard exceeds fifty" and inserting in place thereof the words:— six inches for every twenty feet or fraction thereof that the length of the side yard exceeds sixty,— so as to read as follows:— *Side Yards*: There shall be a side yard on each side of every building or pair of semi-detached buildings in a single or general residence district. The minimum width of any side yard provided in a thirty-five foot district shall be six feet, which shall be increased six inches for every twenty feet or fraction thereof that the length of the side yard exceeds sixty feet, provided that on no lot held under a separate and distinct ownership from adjacent lots and of record at the time it is placed in a thirty-five foot district shall the buildable width be reduced by this requirement to less than twenty-four feet.

SECTION 4. The fourth paragraph of section twelve of said chapter four hundred and eighty-eight, entitled "*Side Yards*", is hereby amended by striking out, in the sixth and seventh lines of said paragraph, the words "three inches for every ten feet or fraction thereof that the length of the side yard exceeds fifty" and inserting in place thereof the words:— six inches for every twenty feet or fraction thereof that the length of the side yard exceeds sixty,— so as to read as follows:— *Side Yards*: There shall be a side yard on each side of every building or attached group of buildings other than accessory buildings in a single or general residence district unless there is a party wall. The minimum width of any side yard provided in a forty foot district shall be six feet, which shall be increased six inches for every twenty feet or fraction thereof that the length of the side yard exceeds sixty feet, provided that on no lot held under a separate and distinct ownership from adjacent lots and of record at the time it is placed in a forty foot district shall the buildable width be reduced by this requirement to less than twenty-four feet.

SECTION 5. Paragraph (12) of section sixteen of said chapter four hundred and eighty-eight is hereby amended by inserting after the word "dwelling" in the fifth line of said paragraph the words:— ; provided, that on a lot occupied by such a dwelling on June fifth, nineteen hundred and twenty-four, and not since reduced in area, forty per cent of the rear yard may be so occupied,— so as to read as follows:— (12) On a lot occupied by a dwelling other than a tenement house a one-story building of accessory use thereto and not more than fifteen feet high measured to the mean height of the gable may be located in and occupy not more than thirty per cent of the rear yard of such dwelling; provided, that on a lot occupied by such a dwelling on June fifth, nineteen hundred and twenty-four, and not since reduced in area, forty per cent of the rear yard may be so occupied. The area occupied by such a building of accessory use shall not be included as occupied area in computing the percentage of lot occupancy.

SECTION 6. Section twenty of said chapter four hundred and eighty-eight, as amended by section twelve of said chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five and by section two of chapter three hundred and fifty of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "Boston" in the fifty-sixth line the following:— Any petition for changing the zoning map shall be accompanied by a fee of ten dollars before being considered by the board. Such fees shall be deposited by the board with the city collector within one month after receipt thereof,— and by inserting after the word "Boston" in the eighty-ninth line the following new paragraph:— In all cases where the boundaries of districts are changed so as to include the whole or part of an existing single or general residence district in a zone for less restricted uses the set back required by this act for such district before such change shall remain in force unless and until such limitation shall be rescinded by the board. Such rescision may be inserted in the original order making such change if asked for by said petition and notice thereof given in the notice of the original petition for the change, or it may be ordered subsequently on petition and notice in the manner required for petitions for a change in the boundaries of districts,— so as to read as follows:— *Section 20.* There shall be a board of zoning adjustment to consist of twelve members as follows:— The chairman of the city planning board ex officio, and eleven members appointed by the mayor in the following manner: one member from two candidates to be nominated by the Associated Industries of Massachusetts, one member from two candidates to be nominated by the Boston Central Labor Union, one member from two candidates to be nominated by the Boston Chamber of Commerce, one member from two candidates to be nominated by the Boston Real Estate Exchange, one member from two candidates to be nominated by the Massachusetts Real Estate Exchange, one member from two candidates, one to be nominated by the Boston Society of Architects and one by the Boston Society of Landscape Architects, one member from two candidates to be nominated by the Boston Society of Civil Engineers, one member from two candidates to be nominated by the Master Builders' Association of Boston, one member from two candidates to be nominated by the Team Owners Association, one member from two candidates to be nominated by the United Improvement Association, and one member to be selected by the mayor. All appointive members shall be residents of or engaged in business in Boston. All appointments after the initial appointments shall be for the term of five years. Vacancies among the appointive members shall be filled in the same manner in which original appointments are made. The several heads of departments of the city of Boston shall on request of the board supply it with all information in their possession useful for its duties.

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other

public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston. Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land. No such change shall be made except by the decision of not less than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. Any petition for changing the zoning map shall be accompanied by a fee of ten dollars before being considered by the board. Such fees shall be deposited by the board with the city collector within one month after receipt thereof. No member shall act in any case in which he is personally interested either directly or indirectly. A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map or confirming a decision of the board of appeal shall be deemed to comply with this section only if the written record of such decision is signed, in case of any change of boundaries as aforesaid, by not less than four fifths, or, in case of any confirmation of a decision of the board of appeal, by not less than two thirds, of the members of the board qualified to act. If less than a majority of the board is present at any public hearing or at any executive session, the members actually present may adjourn the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

The board shall review the decision of the board of appeal within forty-five days of the certification to it of a copy of the record thereof in every case wherein permission is granted to erect or alter a building to an extreme height greater than that otherwise authorized under the provisions of this act for the lot or building in question, said review to determine whether or not the relief granted derogates from the intent and purpose of this act. No such permission shall be confirmed except by decision of not less than two thirds of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon of which notice shall be given as provided in case of a public hearing under the preceding paragraph. If the lot or building in question abuts upon a public park, notice shall also be mailed to the park commissioners of the city of Boston.

In all cases where the boundaries of districts are changed so as to include the whole or part of an existing single or general residence district in a zone for less restricted uses the set back required by this act for such district before such change shall remain in force unless and until such limitation shall be rescinded by the board. Such

recision may be inserted in the original order making such change if asked for by said petition and notice thereof given in the notice of the original petition for the change, or it may be ordered subsequently on petition and notice in the manner required for petitions for a change in the boundaries of districts.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner of Boston and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid. Upon any decision changing the zoning map, on file at the state secretary's office, an amended map showing such change endorsed by the chairman of said board shall be filed forthwith at said office.

If a change be favorably decided upon or if a decision of the board of appeal shall be confirmed, any person aggrieved or any municipal officer or board may, within fifteen days after the entry of such decision, bring a petition in the supreme judicial court for the county of Suffolk for a writ of certiorari setting forth that such decision is in whole or part not in accordance with the duties and powers of such board as above prescribed and specifying the particulars of such non-compliance. The provisions of section four of chapter two hundred and forty-nine of the General Laws shall, except as herein provided, apply to said petition.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

The board shall not reduce in any way the area of the one hundred and fifty-five foot district established by this act.

The board shall report its doings annually on or before the tenth day of February to the mayor of Boston and to the general court.

If any area is hereafter transferred to another district by a change in district boundaries either by action of the board of zoning adjustment or by an amendment to this act, the buildings and uses then existing within said area shall be subject to the provisions of this act with reference to existing buildings or uses in the district to which the area is removed.

SECTION 7. Section two of this act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, provided that such acceptance occurs during the current year. Sections one and three to six, inclusive, and, for the purpose only of being submitted to the city council as aforesaid, section two of this act, shall take effect upon their passage.

Approved April 6, 1927.

Accepted, October 18, 1927.

Section 6, 263 Mass. 589, 591.

1927.— CHAPTER 243.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriation for municipal purposes for year ending December 31, 1927, \$13.00.)

1927.—CHAPTER 246.

AN ACT RELATIVE TO A CERTAIN RESTRICTION IMPOSED BY THE COMMONWEALTH BY DEEDS OF CERTAIN LANDS IN THE BACK BAY DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The parcel of land in the city of Boston in the county of Suffolk bounded and described as follows:—Beginning at a point on the easterly line of Berkeley street and the southerly line of Newbury street; thence easterly on said southerly line of Newbury street, one hundred and twenty feet; thence southerly and parallel with the easterly line of Berkeley street, one hundred and twelve feet to a passageway sixteen feet wide; thence westerly on said passageway, one hundred and twenty feet to the easterly line of Berkeley street; thence northerly on said easterly line of Berkeley street, one hundred and twelve feet to the point of beginning, containing thirteen thousand four hundred and forty square feet; or however otherwise said premises may be bounded and described and be any or all of said measurements more or less; being the same premises conveyed to George Goss and Norman C. Munson by the commonwealth of Massachusetts acting through the commissioners on the Back Bay in pursuance of chapter seventy-nine of the resolves passed in the year eighteen hundred and fifty-two and chapter seventy of the resolves passed in the year eighteen hundred and fifty-seven by deed dated September fifteenth, eighteen hundred and fifty-nine and recorded with Suffolk deeds, book seven hundred and sixty-six, folio one hundred and five, and

The parcel of land in said city and county bounded and described as follows:—Beginning at a point on the southerly line of Newbury street one hundred and fifty-four feet west of the westerly line of Arlington street; thence southerly by land formerly of Parker, Cabot, Clark and Perry, one hundred and twelve feet to a passageway sixteen feet wide; thence westerly on said passageway, one hundred and twelve feet; thence northerly on land formerly of the commonwealth of Massachusetts, one hundred and twelve feet to the southerly line of Newbury street; thence easterly on said southerly line of Newbury street, one hundred and twelve feet to the point of beginning, containing twelve thousand five hundred and forty-four square feet; or however otherwise said premises may be bounded and described and be any or all of said measurements more or less; being the same premises conveyed to George Goss and Norman C. Munson by the commonwealth of Massachusetts acting through the commissioners on the Back Bay in pursuance of chapter seventy-nine of the resolves passed in the year eighteen hundred and fifty-two and chapter seventy of the resolves passed in the year eighteen hundred and fifty-seven by deed dated July sixth, eighteen hundred and fifty-nine, recorded with Suffolk deeds, book seven hundred and sixty, folio two hundred and thirteen, are hereby released from the operation and effect of the restriction imposed in said deeds on said premises that no building erected upon the said premises shall be used for “mercantile” purposes, and the division of waterways and public lands of the department of public works is hereby authorized, on the request of the owner or owners of each parcel of land so released,

to execute and deliver to such owner or owners a release in writing of said parcel of land from said restriction.

SECTION 2. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the fifth day of April, 1927, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.*)

See 1873, ch. 350.

1927.—CHAPTER 257.

AN ACT RELATIVE TO CERTAIN FIREMEN OF THE CITY OF BOSTON
PENSIONED ON ACCOUNT OF DISABILITY.

Be it enacted, etc., as follows:

Chapter sixty of the acts of nineteen hundred and twenty is hereby amended by striking out section one and inserting in place thereof the following:—*Section 1.* Once each year the fire commissioner of the city of Boston shall require every retired fireman of said city under age fifty-five, who is in receipt of a pension on account of disability under any law, other than chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, providing for the retirement and pensioning of any fireman of said city, to submit to an examination to be given by the medical board provided for by section eighteen of said chapter five hundred and twenty-one at a time and place designated by it or to be given by a physician designated by said board in case the retired fireman resides without the commonwealth. Said board by itself or by such physician in the case aforesaid shall make such examination and upon completion thereof shall report and certify to said fire commissioner whether or not said retired fireman is physically and mentally fit for service in the fire department of said city and of the rank or grade held by him when he was retired. If said board shall report and certify to said fire commissioner that said retired fireman is physically and mentally fit for service as aforesaid, said fire commissioner shall restore him to said fire department in the same rank or grade, which he had when he was retired, in the first vacancy occurring in such rank or grade, and shall send him written notice when and where to report for duty; and upon so reporting for duty his pension shall cease and he shall again become eligible to the benefits of the law under which he was formerly retired and shall not be subject to the provisions of said chapter five hundred and twenty-one. If said retired fireman fails to submit to such examination or to return to duty as required by said notice, his pension shall cease.

Approved April 15, 1927.

1927.—CHAPTER 261.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW HIGHWAY
FROM CHARLES RIVER DAM TO NASHUA STREET AND THE WIDEN-
ING OF SAID STREET AND CAUSEWAY STREET IN THE CITY OF
BOSTON.

(City of Boston — Street Widening and Extension Loan Act of
1927.)

1927.—CHAPTER 272.

AN ACT PROVIDING FOR THE TRANSFER TO THE METROPOLITAN DISTRICT COMMISSION OF THE CARE, CUSTODY AND CONTROL OF LANDS OF THE CITY OF BOSTON KNOWN AS WEST ROXBURY PARKWAY BETWEEN WELD STREET AND CENTRE STREET.

Not accepted.

1927.—CHAPTER 320.

AN ACT RELATIVE TO THE CONSTRUCTION OF COTTAGE FARM BRIDGE AND THE RIVER STREET—BRIGHTON STREET BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. For the cost of construction of the new Brookline street-Essex street-Cottage Farm bridge and its approaches, authorized by chapter four hundred and ninety-seven of the acts of nineteen hundred and twenty-one and acts in addition thereto and in amendment thereof, the metropolitan district commission may expend a further sum not exceeding two hundred and fifty thousand dollars in addition to the amounts heretofore authorized. The state treasurer may borrow on the credit of the commonwealth such further sums, not exceeding in the aggregate two hundred and fifty thousand dollars, as may from time to time be required, and may issue and renew notes of the commonwealth, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council, said notes to be for such term or terms as shall be recommended by the governor in pursuance of section three of Article LXII of the amendments to the constitution. The additional construction cost incurred under the provisions of this act, including interest, shall be determined and assessed in accordance with the provisions of section five of said chapter four hundred and ninety-seven relative to the Essex street-Brookline street-Cottage Farm bridge and approaches.

SECTION 2. Section three of chapter three hundred and twenty-seven of the acts of nineteen hundred and twenty-six is hereby amended by inserting after the word "hundred", in the eighth line, the words:— and ten,— so as to read as follows:—

SECTION 3. Notwithstanding the provisions of section four of said chapter four hundred and ninety-seven, the maximum cost of construction as defined in said, section four, of the bridge between Watertown and Boston, the Western avenue bridge and the River street-Brighton street bridge, severally authorized to be constructed by said chapter, shall be two hundred thousand dollars, three hundred and twenty-five thousand dollars and three hundred and ten thousand dollars, respectively; provided, that nothing in this section shall authorize any further borrowing on the credit of the commonwealth.

Approved April 26, 1927.

1927.—CHAPTER 342.

AN ACT RELATIVE TO THE REQUIREMENT OF YARD SPACES ON CERTAIN LOTS ON THE NORTHERLY SIDE OF BEACON STREET IN THE CITY OF BOSTON AS AFFECTING TENEMENT HOUSES.

Be it enacted, etc., as follows:

Section fifty-five of chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by inserting after

the word "feet" in the forty-fourth line the following:— ; provided, that on any lot situated between the north line of Beacon street and the alley known as Back street, and between Embankment road and Massachusetts avenue, including corner lots, in place of a yard space midway between said Beacon street and said alley or elsewhere, said yard space shall not be less than thirty feet in depth southerly from said Back street, irrespective of the height of the building, but structures not over twelve feet in height may be erected in said yard space, — so that the sixth paragraph of said section will read as follows:— Whenever a tenement house is hereafter erected upon a lot which runs through from street to street, or from a street to an alley or open passageway, and said lot is one hundred and fifty feet or more in depth, said yard space shall be left midway between the two streets, and shall extend across the entire width of the lot, and shall be not less than twenty-four feet in depth from wall to wall, and shall be increased in depth at least two feet for every additional ten feet in height of the building, or fraction thereof, above fifty feet; provided, that on any lot situated between the north line of Beacon street and the alley known as Back street, and between Embankment road and Massachusetts avenue, including corner lots, in place of a yard space midway between said Beacon street and said alley or elsewhere, said yard space shall be not less than thirty feet in depth southerly from said Back street, irrespective of the height of the building, but structures not over twelve feet in height may be erected in said yard space.

(This bill, returned by the governor to the senate, the branch in which it originated, with his objections thereto, was passed by the senate April 28, and, in concurrence, by the House of Representatives, April 28, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

1928.— CHAPTER 70.

AN ACT RELATIVE TO NOTICE OF HEARINGS BEFORE THE DEPARTMENT OF PUBLIC UTILITIES UPON APPLICATIONS FOR EXEMPTION OF PREMISES OF PUBLIC SERVICE CORPORATIONS FROM THE ZONING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section twenty-two of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by striking out the last paragraph and inserting in place thereof the following:— A building or premises used or to be used by a public service corporation may be exempted from the operation of this act if, upon a petition of the corporation, the department of public utilities shall, after a public hearing of which notice shall seasonably be mailed to the petitioner, and to the owners of all abutting property and of all other property deemed by the department to be affected thereby as they appear in the most recent local tax list, and to the representatives in the general court from the district, and to the member of the city council of the city of Boston from the ward, in which such building or premises are or are to be situated, and also advertised at least once in a newspaper published in said city, decide

that the present or proposed situation of the building or premises in question is reasonably necessary for the convenience or welfare of the public.

Approved March 1, 1928.

1928.—CHAPTER 100.

AN ACT ESTABLISHING THE SALARIES OF THE PRINCIPAL ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as amended by section one of chapter two hundred and eighty-three of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the twelfth line, the words "six thousand" and inserting in place thereof the words:— seventy-five hundred,— and by striking out, in the fourteenth line, the words "forty-five hundred" and inserting in place thereof the words:— five thousand,— so as to read as follows:—

Section 2. The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, three assessors to hold office for terms of one, two, and three years, respectively, beginning with the first day of April in the current year. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of three years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of seventy-five hundred dollars; the two other members of the board shall each receive an annual salary of five thousand dollars.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved March 6, 1928.

Accepted March 13, 1928.
1937 Adv. Sh. 1515, 1517.

1928.—CHAPTER 137.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eighteen of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section eleven of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following new paragraph:—

Notwithstanding those provisions of this section which relate to a maximum height limit of one hundred and fifty-five feet, on a lot on which a building one hundred and fifty-five feet in height is permitted part of a building or structure may exceed such height provided the volume of such building or structure does not exceed the number of square feet of buildable area of the lot multiplied by

one hundred and fifty-five feet, and provided further that every part of such building or structure above a height equal to two and one half times the effective width of the street but not exceeding one hundred and twenty-five feet shall set back from every street and lot line one foot for each two and a half feet of additional height.

SECTION 2. Section fifteen of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by striking out the second paragraph of said section, entitled "*Height*", and inserting in place thereof the following new paragraph:—

Height: No building shall exceed the height limit established by section eighteen or chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended. *Approved March 19, 1928.*

1928.— CHAPTER 174.

AN ACT RELATIVE TO THE DISPOSITION OF UNEXPENDED BALANCES OF PROCEEDS OF LOANS ISSUED BY THE CITY OF BOSTON OUTSIDE ITS LIMIT OF INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reducing the debt of the city of Boston incurred outside the limit of its indebtedness, the city treasurer, with the approval of the mayor, may from time to time pay over to the board of commissioners of sinking funds of said city the excess of the proceeds of any loan heretofore or hereafter issued outside said limit over the amount required for the purposes specified in the authorization of such loan; provided, that no such payment shall be made until after the expiration of two years after all expenditures under such authorized loan shall have been made.

SECTION 2. This act shall take effect upon its passage.
Approved April 2, 1928.

See 1875, ch. 176.

1928.— CHAPTER 200.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriation for municipal purposes for year 1928, \$12.50.)

1928.— CHAPTER 237.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW AND TO RAISE BY TAXATION MONEY FOR HOSPITAL PURPOSES.

(Boston City Hospital Loan, Act of 1928; tax limit increased.)

Accepted August 21, 1928.

1928.— CHAPTER 240.

AN ACT TO AUTHORIZE THE METROPOLITAN DISTRICT COMMISSION TO ENABLE THE CITY OF QUINCY TO DRAIN BY GRAVITY CERTAIN PARTS OF ITS SEWERAGE SYSTEM.

1928.—CHAPTER 246.

AN ACT PROVIDING FOR THE FURTHER IMPROVEMENT OF THE AIRCRAFT
LANDING FIELD IN EAST BOSTON.

Not accepted (See Resolves 1928, ch. 64).

1928.—CHAPTER 259.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A PUBLIC HIGHWAY
WITH RIPRAP PROTECTION ALONG THE SHORE OF DORCHESTER
BAY IN THE SQUANTUM DISTRICT OF THE CITY OF QUINCY.

1928.—CHAPTER 264.

AN ACT AUTHORIZING THE CITY OF BOSTON TO EXCHANGE LAND WITH
THE COMMONWEALTH FOR THE PURPOSES OF MARINE PARK IN
SAID CITY.

See 1885, ch. 360.

1928.—CHAPTER 337.

AN ACT AUTHORIZING THE CITY OF BOSTON TO EXPEND MONEY TO
PROVIDE FACILITIES FOR HOLDING IN SAID CITY DURING THE
YEAR NINETEEN HUNDRED AND THIRTY THE NATIONAL CON-
VENTION OF THE AMERICAN LEGION.

1928.—CHAPTER 339.

AN ACT RELATIVE TO THE HORACE MANN SCHOOL FOR THE DEAF IN
THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section two of chapter four hundred and sixty-seven of the acts of nineteen hundred and five is hereby amended by inserting after the word "mutes" in the seventh line the following:—; provided, that if another such necessary building or other buildings has or have been erected for such purposes, the proceeds of such sale or conveyance may be used for the payment for land or for the construction of buildings for general school purposes as the school committee of said city may determine,—so as to read as follows:—
Section 2. In consideration of said release as hereinbefore provided, if and whenever the city of Boston shall sell or convey the property so released the entire proceeds of such sale or conveyance shall be used for the purchase of another suitable site and for the erection of necessary buildings to furnish accommodation for the education of deaf mutes; provided, that if another such necessary building or other buildings has or have been erected for such purposes, the proceeds of such sale or conveyance may be used for the payment for land or for the construction of buildings for general school purposes as the school committee of said city may determine. All of the above conditions shall be subject to the approval of the state board of education, and such property shall be used exclusively for the purpose of maintaining a school for the education of the deaf; but the purchaser of said property shall not in any event be bound to see to the application of the purchase money.

Approved May 25, 1928.

1928.—CHAPTER 380.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON AND FOR THE CREATION OF A TUNNEL DISTRICT.

Not accepted.

1928.—CHAPTER 382.

AN ACT RELATIVE TO THE PAYMENT OF PENSIONS TO MEMBERS OF THE TEACHING AND SUPERVISING STAFF OF THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (g) of section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen is hereby amended by striking out all after the word "of" in the fourteenth line of said paragraph and inserting in place thereof the words:—December, nineteen hundred and twenty-eight, and for each financial year thereafter, five cents,—so as to read as follows:—(g) For the payment of pensions to members of the teaching or supervising staff of the public schools of said city, and to persons who were annuitants of the Boston Teachers' Retirement Fund at the time when chapter five hundred and eighty-nine of the acts of nineteen hundred and eight took effect, and other teachers who had retired prior to said time, in accordance with the provisions of said chapter five hundred and eighty-nine, chapter five hundred and thirty-seven of the acts of nineteen hundred and nine, chapter six hundred and seventeen of the acts of nineteen hundred and ten, and chapter five hundred and sixty-nine of the acts of nineteen hundred and twelve, and acts in amendment thereof, and of this act: for the financial year ending on the thirty-first day of December, nineteen hundred and twenty-eight, and for each financial year thereafter, five cents.

SECTION 2. The limit, as heretofore existing, of the amount of taxes that may be assessed on property in the city of Boston to meet appropriations to be made by the school committee in the year nineteen hundred and twenty-eight and in each year thereafter is hereby decreased two cents on each one thousand dollars of the valuation upon which the appropriations of the city council of said city are based.

SECTION 3. Section six of chapter five hundred and eighty-nine of the acts of nineteen hundred and eight, as amended by section three of chapter six hundred and seventeen of the acts of nineteen hundred and ten, by section one of chapter three hundred and four of the Special Acts of nineteen hundred and fifteen and by section six of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out, in the second line, the words "under this act",—so as to read as follows:—*Section 6.* In case the amount available in any one year is not sufficient to pay the pensions that have been granted, the amount so available shall be divided pro rata among those to whom pensions have been or may be granted on the basis of the amount of the pension which each is then receiving: *provided,*

that in no case, nor in any year, shall the pension of any person retired after thirty years of service be less than three hundred and twelve dollars.

SECTION 4. Chapter two hundred and eighty-nine of the Special Acts of nineteen hundred and sixteen, as amended in section one by section one of chapter two hundred and forty-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section one of said chapter two hundred and eighty-nine, and inserting in place thereof the following:—*Section 1.* The sums payable by the commonwealth to the city of Boston under section sixteen of chapter thirty-two of the General Laws as reimbursement for pensions paid by the city to retired school teachers shall, in the case of all teachers retired by the Boston retirement board under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two and acts in amendment thereof, be paid into the pension accumulation fund established by section six of said chapter five hundred and twenty-one, and, in the case of all teachers retired by the school committee of said city under chapter five hundred and eighty-nine of the acts of nineteen hundred and eight and acts in amendment thereof, be credited to the current appropriation for the payment of pensions to school teachers under the provisions of said chapter five hundred and eighty-nine and any balance of said current appropriation shall be available for payment of said pensions in any subsequent year.

SECTION 5. This act shall take effect upon its passage.

Approved June 12, 1928.

1928.—CHAPTER 389.

AN ACT RELATIVE TO THE PENAL INSTITUTIONS DEPARTMENT OF THE
CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter two hundred and twenty-two of the Special Acts of nineteen hundred and nineteen shall not be construed to affect the powers granted to the mayor and city council of the city of Boston by section five of chapter four hundred and eighty-six of the acts of nineteen hundred and nine except as provided by section three of said chapter two hundred and twenty-two and, notwithstanding the provisions of section one of said chapter two hundred and twenty-two, the powers and duties conferred and imposed by law upon the penal institutions commissioner acting as a county official or in any other capacity shall be exercised and performed by the head of the penal institutions department or of any other department which may from time to time include the penal institutions department as existing at the time of the passage of said chapter two hundred and twenty-two.

SECTION 2. The mayor of the city of Boston may appoint a deputy penal institutions commissioner who shall be under the direction of the penal institutions commissioner of said city. The said deputy penal institutions commissioner shall be appointed by the mayor subject to the approval of the civil service commission, as provided in the case of heads of departments and others by sections nine, ten and eleven of said chapter four hundred and eighty-

six and acts in amendment thereof and in addition thereto; but otherwise the civil service laws shall not apply to such appointment.

SECTION 3. This act shall take effect upon its passage.

(This bill, returned by the governor to the house of representatives the branch in which it originated, with his objections thereto, was passed by the house of representatives July 17, and, in concurrence, by the senate July 17, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

1928.—CHAPTER 403.

AN ACT RELATIVE TO THE ELIMINATION OF THE CROSSING AT GRADE AT GOVERNOR SQUARE IN THE CITY OF BOSTON BY STREET RAILWAY CARS USING THE BOYLSTON STREET SUBWAY.

Not accepted.

RESOLVES, 1928.—CHAPTER 64.

RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO LEASE TO THE CITY OF BOSTON FOR AIRPORT PURPOSES CERTAIN LAND OF THE COMMONWEALTH IN THAT PART OF SAID CITY KNOWN AS EAST BOSTON.

Resolved, That the department of public works, subject to such terms, conditions and restrictions as the governor and council may approve, is hereby authorized to lease to the city of Boston for airport purposes, for a term not exceeding twenty years, land of the commonwealth in the control of said department in that part of said city called East Boston; provided, that said lease shall reserve to the commonwealth such use of said land for military purposes as it may require. Said department is hereby authorized to include in said lease a provision binding the commonwealth, at the end of the term thereof, to reimburse said city for expenditures made by it for filling and grading said land and also to pay such sum as shall represent the fair value, if any, to the commonwealth, for the then intended use of such runways, buildings and other structures as shall have been built on said land by and at the expense of said city.

Approved July 23, 1928.

See 1926, ch. 385; Resolves 1930, ch. 53; Resolves 1937, ch. 72.

1929.—CHAPTER 3.

AN ACT RELATIVE TO CERTAIN POLICE OFFICERS OF THE CITY OF BOSTON PENSIONED ON ACCOUNT OF DISABILITY.

Be it enacted, etc., as follows:

Once each year the police commissioner for the city of Boston shall require every retired police officer of said city under age fifty-five, who is in receipt of a pension on account of disability under any law, other than chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, providing for the retirement and

pensioning of any police officer of said city, to submit to an examination to be given by the medical board provided for by section eighteen of said chapter five hundred and twenty-one at a time and place designated by it, or to be given by a physician designated by said board in case the retired police officer resides without the commonwealth. Said board by itself or by such physician in the case aforesaid shall make such examination and upon completion thereof shall report and certify to said police commissioner whether or not said retired police officer is physically and mentally fit for service in the police department of said city and of the rank or grade held by him when he was retired. If said board shall report and certify to said police commissioner that said retired police officer is physically and mentally fit for service as aforesaid, said police commissioner shall restore him to said police department in the same rank or grade which he had when he was retired, in the first vacancy occurring in such rank or grade, and shall send him written notice when and where to report for duty; and upon so reporting for duty his pension shall cease and he shall again become eligible to the benefits of the law under which he was formerly retired and shall not be subject to the provisions of said chapter five hundred and twenty-one. If said retired police officer fails to submit to such examination or to return to duty as required by said notice, his pension shall cease.

Approved January 30, 1929.

See 1887, ch. 178.
271 Mass., 172, 176.

1929.—CHAPTER 49.

AN ACT ESTABLISHING THE SALARIES OF THE DEPUTY ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as amended by chapter ninety-two of the acts of nineteen hundred and twenty and by section one of chapter six of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "thousand" in the eighth line the words:—five hundred,—so as to read as follows:—*Section 3.* The mayor shall also appoint for an indeterminate term, under the laws and rules governing the classified civil service of the commonwealth, five deputy assessors and such appointees shall hold office in accordance with such laws and rules. Appointments to fill vacancies shall be made in like manner. Each deputy assessor shall receive an annual salary of four thousand five hundred dollars and shall perform such duties as the board of assessors may prescribe.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved February 18, 1929.

Accepted February 28, 1929.

1929.—CHAPTER 88.

AN ACT RELATIVE TO THE BUILDING AREA OF CERTAIN LOTS UNDER THE BOSTON ZONING LAW, SO-CALLED.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (8) of section sixteen of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by striking out, in the second and third lines of said paragraph, the words "may be increased thirty per cent" and inserting in place thereof the words:—provisions herein shall not apply, —so as to read as follows:— (8) In a sixty-five foot or eighty foot district on a lot where no yard is required the building area provisions herein shall not apply.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1929.

1929.—CHAPTER 104.

AN ACT RELATIVE TO THE ERECTION AND MAINTENANCE OF A HEALTH DEPARTMENT BUILDING WITHIN THE LIMITS OF THE BACK BAY FENS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting through its health department, may erect and maintain a health department building within the limits of the Back Bay Fens, if the mayor and city council of said city so determine. The location of said building shall be subject to the approval of the park department of said city.

SECTION 2. This act shall take effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved March 11, 1929.

Accepted March 26, 1929.

See 1854, ch. 448, s. 40; 1875, ch. 185.

1929.—CHAPTER 137.

AN ACT SUBJECTING THE OFFICES OF ASSISTANTS IN THE ELECTION DEPARTMENT OF THE CITY OF BOSTON TO THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The offices of assistants in the election department of the city of Boston, established under section twenty of chapter four hundred and forty-nine of the acts of eighteen hundred and ninety-five and now exempt from the civil service laws by virtue thereof, shall, upon the effective date of this act, become subject to said civil service laws and the rules and regulations made thereunder, and the term of office of any incumbent of any of said offices shall be unlimited, except that he may be removed in accordance with such laws, rules and regulations; but the persons holding said offices on said effective date may continue therein without taking a civil service examination.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved March 19, 1929.

Accepted May 28, 1929.

1929.—CHAPTER 140.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriations for municipal purposes for 1929,—\$12.75.)
268 Mass., 480, 490.

1929.—CHAPTER 219.

AN ACT RELATIVE TO THE TREATMENT OF CERTAIN PATIENTS AT THE LONG ISLAND HOSPITAL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of institutions of the city of Boston, or such officer of its institutions department as the commissioner may designate, may admit to the Long Island hospital in said city for treatment or care any person chronically ill whose legal settlement is in Boston, or any person who is employed by said institutions department, or any person who may, while on any of the islands in Boston harbor or on any boat or vessel therein, require in an emergency, temporary treatment or care.

SECTION 2. Said commissioner may establish fees and charges which shall be paid to the use of said city by all persons admitted as aforesaid or by their kindred as provided in section six of chapter one hundred and seventeen of the General Laws; but if, in the judgment of the commissioner, such persons or their kindred are unable to pay said fees or charges, he may remit the same.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter. *Approved April 13, 1929.*

Accepted May 14, 1929.

See 1919 (S) ch. 222.

1929.—CHAPTER 229.

AN ACT ESTABLISHING A BOARD TO BE KNOWN AS THE BOSTON PORT AUTHORITY, PRESCRIBING ITS DUTIES AND DEFINING THE PORT OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established an unpaid board to be known as the Boston Port Authority, consisting of two persons to be appointed by the governor, with the advice and consent of the council, and three persons to be appointed by the mayor of the city of Boston. Every member of said board shall be a resident of a city or town included within the metropolitan parks district. Said board shall elect one of its members to act as chairman. Each

member of said board shall serve for a term of five years from the date of his appointment. Any vacancy occurring in said board shall be filled by the governor, with the advice and consent of the council, or by the mayor, according as the original appointment was made. Any member of the board appointed by the governor as aforesaid may be removed by the governor, with the advice and consent of the council, and any member of the board appointed by the mayor may be removed in accordance with the provisions of section fourteen of chapter four hundred and eighty-six of the acts of nineteen hundred and nine.

SECTION 2. For the purposes of this act, the port of Boston is hereby defined to be all of the tide water lying westerly of a line drawn between Point Allerton on the south and the southerly end of Point Shirley on the north and all parcels of land adjacent thereto and property thereon. The board shall, from time to time, investigate any and all matters relating to the port of Boston, particularly with reference to the unification of overseas terminals, belt line connections, condition and location of piers and channels, switching, floatage, lighterage, rates, rules, regulations and practices, dockage, wharfage, water front labor conditions, grain elevator and warehouse facilities. With the assent and approval of the mayor, the board may initiate or participate in any rate proceedings, or any hearings or investigations, concerning the port of Boston, before any other body or official. The board shall report annually in December, or oftener if the board deems it necessary, to the governor, the general court and the mayor.

SECTION 3. Said board shall have an office in the city of Boston and may employ such experts, counsel and other assistants and incur such other expense as it may deem necessary. All such expenses shall be paid by the city of Boston upon requisition by the board to the extent that appropriations therefor are available, but not exceeding in the aggregate in any one year the sum of fifty thousand dollars; provided, that said board shall have the same right to incur expense in anticipation of its appropriation as if it were a regular department of said city.

SECTION 4. The board shall have access to all maps, charts, plans and documents relating to all matters within its jurisdiction in the office or custody of any public board, commission or official of said city.

SECTION 5. This act shall take effect upon its passage.

Approved April 17, 1929.

Section 3, Amended 1930, ch. 236, s. 1.

See 1911, ch. 748.

1929.— CHAPTER 239.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING A SEWER OR SEWERS FOR REMEDYING UNSANITARY CONDITIONS IN AND ABOUT SAVIN HILL BAY.

(Savin Hill Bay Sewer Loan, Act of 1929.)

Accepted June 11, 1929.

1929.—CHAPTER 248.

AN ACT RELATIVE TO THE RECONSTRUCTION OF PARTS OF CENTRE
AND ST. ANN STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The board of street commissioners of the city of Boston may, with the approval of the mayor of said city, lay out, widen, extend, relocate and reconstruct Centre street in said city from a point at or near May street to a point at or near Weld street, to a width of not less than one hundred feet, and, from said last mentioned point to a point at or near South street, to a width of not less than eighty feet.

After such construction, said Centre street so reconstructed from a point at or near said May street to a point at or near said South street shall be under the charge of the board of park commissioners of said city as a parkway, and said last mentioned board shall have the charge and control of such parkway as if the same had been placed in its charge under section four of chapter forty-five of the General Laws.

SECTION 2. The board of street commissioners of said city may, with the approval of the mayor of said city, lay out, widen, extend, relocate and reconstruct to a width of not less than seventy feet, St. Ann street, from a point at or near Asticou road, thence over existing ways and public and private lands and approximately parallel with the location of the West Roxbury branch of the Boston and Providence railroad to a point about opposite a point in said location about one thousand feet distant northeasterly from its crossing at South street, thence over or under said location, and thence over existing ways and public and private lands to a point at or near said South street in the vicinity of Roslindale square, and said board of street commissioners may, with like approval, alter, relocate and discontinue such existing public ways or portions thereof, if any, as may be necessary in connection therewith.

SECTION 3. The work authorized by sections one and two shall be performed, and the awarding of damages and the assessment of betterments therefor shall be made, in accordance with chapter three hundred and ninety-three of the acts of nineteen hundred and six, as amended by chapter five hundred and thirty-six of the acts of nineteen hundred and thirteen, and by chapters seventy-nine and eighty of the General Laws.

SECTION 4. For the purpose of meeting the expense of the work authorized by section one of this act, the city of Boston may borrow, outside the statutory limit of indebtedness, from time to time within a period of five years from the effective date of this act, such sums as may be necessary, not exceeding, in the aggregate, one million one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Boston, Centre Street Improvement Loan, Act of 1929. For the purpose of meeting the expense of the work authorized under section two, said city may borrow, outside the statutory limit of indebtedness, from time to time within a period of five years from the effective date of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds

or notes therefor, which shall bear on their face the words, City of Boston, St. Ann Street Extension Loan, Act of 1929. Each authorized issue under this section shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no loan shall be authorized under this section unless a sum equal to ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue. Any sum to be so raised by taxation shall be outside the tax limit as fixed for the city in the year in which the loan is authorized. Except as herein provided, indebtedness incurred hereunder shall be subject to the laws relative to the incurring of debt by said city.

SECTION 5. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 22, 1929.

Accepted August 5, 1929.

Section 1, Amended 1931, ch. 2, s. 1.

See 1875, ch. 185.

1929.—CHAPTER 256.

AN ACT RELATIVE TO APPROPRIATIONS FOR CONSTRUCTION AND CERTAIN OTHER PURPOSES BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

(Relates to appropriations for new school buildings, etc., and increases tax limit.)

See 1919 (S) ch. 206, s. 1.

1929.—CHAPTER 263.

AN ACT ESTABLISHING THE BOSTON TRAFFIC COMMISSION AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Boston, hereinafter referred to as the city, a commission to consist of a commissioner and four associate commissioners and to be known as the Boston Traffic Commission, hereinafter referred to as the commission. The commissioner, who shall be chairman of the commission, shall be appointed by the mayor of the city, shall serve for a term of four years and until the qualification of his successor, shall be subject to the confirmation of the civil service commission under chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended, shall receive such compensation as shall be established by the mayor and city council of the city, and may be removed by the mayor in accordance with section fourteen of said chapter four hundred and eighty-six. The police commissioner, commissioner of public works, the chairman of the park commissioners and the chairman of the board of street commissioners, all of the city, shall be, *ex officio*, the associate commissioners and shall receive no compensation for their services as such associate commissioners; but all the expenses of the commission incurred for the purposes of this act shall be paid by the city. For said purposes

the commission may, subject to the approval of the mayor and to chapter thirty-one of the General Laws and the rules and regulations made thereunder, employ engineers, experts, assistants and other officers and employees. All statutes and ordinances applicable generally to the departments of the city shall apply to the commission, except the provisions of section five of said chapter four hundred and eighty-six.

SECTION 2. The commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular street traffic in the city, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the city, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws, as amended, and may prescribe penalties not exceeding fifty dollars for the violation of any rule or regulation adopted hereunder. No such rule or regulation, except such special rules and regulations as are declared by vote of the commission to be urgently required by considerations of public safety or convenience or such as are of a temporary nature and are to be effective for a period of not more than two weeks, shall take effect until published for two successive weeks in the City Record. Upon petition of twenty-five registered voters of the city relative to any rule or regulation adopted or proposed to be adopted under this section, the commission shall hold a public hearing thereon within thirty days after the filing with the commission of such petition, and final action thereon shall be determined only by vote of a majority of the entire membership of the commission. The commission shall have power to erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of such traffic in the city and for informing and warning the public as to rules and regulations adopted hereunder, subject, however, to section two of chapter eighty-five, and to sections eight and nine of said chapter eighty-nine, of the General Laws, as amended. Nothing in this act shall be construed to authorize the commission to adopt any rule or regulation excluding the cars of a street railway company from any way or part thereof in which it has a location, or to modify or limit any power or authority of the metropolitan district commission, of the state department of public works or of the state department of public utilities, or any power now vested in the said police commissioner to regulate street uses under licenses or permits granted by said commissioner.

SECTION 3. All existing rules and regulations of the board of street commissioners, the board of park commissioners, the police commissioner, or any other public board, commission or official of the city, relating to the control of vehicular traffic, shall remain in full force and effect until amended, revised or repealed by the commission under this act, and any amendment, revision or repeal of such a rule or regulation or the adoption of any new rule or regulation by the commission shall not affect any act done, any right accrued,

any penalty incurred, or any suit, prosecution or proceeding pending at the time of said amendment, revision, repeal or adoption.

SECTION 4. This act shall take effect upon its acceptance, during the current year, by vote of the city council of the city, subject to the provisions of its charter, but not otherwise; provided, that for the purposes of such acceptance only, this act shall take effect upon its passage.

Approved April 26, 1929.

Accepted April 30, 1929.

Section 2A Added 1935, ch. 319.

See 1908, ch. 447; 1930, ch. 392; 1931, ch. 399; 1934, ch. 140.

286 Mass. 25, 26; 1937 Adv. Sh., 1515, 1517.

1929.—CHAPTER 280.

AN ACT RELATIVE TO THE NOTIFICATION OF VOTERS WHOSE NAMES ARE OMITTED FROM THE ANNUAL REGISTER OF VOTERS IN ANY YEAR, AND REQUIRING THAT LISTS OF SUCH NAMES BE POSTED OR OTHERWISE MADE AVAILABLE FOR PUBLIC INSPECTION.

Be it enacted, etc., as follows:

* * * * *

SECTION 6. Section seventy-six of chapter eight hundred and thirty-five of the acts of nineteen hundred and thirteen, as most recently amended by section five of chapter one hundred and fourteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out the last sentence and inserting in place thereof the following:— They shall, on or before the first Monday of August in each year, send notice in writing to each voter of the preceding year whose name has not been entered in the annual register of the current year that the name of such voter has not been so entered, such notice to be sent by first class mail enclosed in an envelope bearing the proper address to which the same may be returned in case of non-delivery, and they shall prepare a list of the names of voters not so entered, which shall be open to public inspection in their principal office, or shall be posted by copy in the places where copies of voting lists are required to be posted under section fifty-seven of chapter fifty-one of the General Laws.

Approved May 1, 1929.

1929.—CHAPTER 286.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS ON LAND ABUTTING ON ST. JAMES AVENUE BETWEEN CLARENDON AND DARTMOUTH STREETS IN THE CITY OF BOSTON.

Repealed 1929, ch. 338.

1929.—CHAPTER 297.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter called the city, acting by the transit department of the city of Boston, hereinafter

called the department, shall proceed with the laying out and construction of a tunnel which shall consist of two or more roadways or lanes for vehicular traffic contained in one or two tubes, with or without physical connection, under Boston harbor from a convenient point or points in Boston proper to a convenient point or points in that part of the city known as East Boston, and with the laying out and construction of all facilities and appurtenances incidental thereto, including plazas and street approaches extending not more than one thousand feet from the tunnel entrances or exits as the department shall deem necessary and desirable to facilitate the movement of traffic entering and leaving the tunnel. The word "tunnel" as used in this act shall connote the plural in so far as it may consist of two tubes with or without physical connection.

SECTION 2. The department shall immediately after the effective date of this act make such preliminary investigations, surveys and plans as it may deem expedient and to that end the department, its employees or any other parties acting with its authority may enter upon any lands, or places without being liable in trespass, in order to make surveys and investigations, and may place and maintain marks and monuments thereon, and make borings and excavations and do all other acts necessary for the preparation of plans and estimates for said tunnel and other facilities and appurtenances; provided, that compensation shall be recoverable from the city under chapter seventy-nine of the General Laws for any actual damages caused by such acts.

SECTION 3. The department may, for the purposes of this act, take and use without compensation public lands and ways, except any wharves, piers or other structures of the commonwealth or any land of the commonwealth above low water mark, and the department may, for the said purposes, acquire on behalf of the city by purchase or otherwise, or may take by eminent domain under chapter seventy-nine of the General Laws or any other alternative method now or hereafter provided by general law, lands in fee including buildings thereon, and easements, estates and rights in land, including the right to go under the surface thereof, or through or under buildings or parts of buildings thereon, or any leasehold rights, or other rights therein, or relative thereto; such takings in fee or otherwise may be made, whether the lands or other rights taken or otherwise affected are held under or by title derived by eminent domain or otherwise, and the department may, for such purposes, acquire for the city by purchase or otherwise, or may take any property and rights of any kind deemed by it essential to the construction of said tunnel. A taking or purchase under this section of an easement or other estate or right in a given parcel of real estate or any right taken, whether such parcel or other right taken consists of unimproved land or of land and buildings or rights of any nature, may be confined to a portion or section of such parcel or right fixed by planes of division, or otherwise, below or above or at the surface of the soil, and in such case no taking need be made of upper or lower portions, or other parts or sections thereof, except of such easements therein, if any, as the department may deem necessary. The department shall, so far as may be practicable, notify all known owners of such takings, but the validity thereof

shall not be affected by want of such notice. Any person sustaining damage by reason of property or rights in property taken or injured by the department under authority of this act, except public lands and ways which may be taken and used without compensation as hereinbefore provided, shall be entitled to recover the same from the city under said chapter seventy-nine or under other provisions of law providing an alternative method of taking by eminent domain, as the case may be. The members of the department shall not be liable personally for any such damage. To such extent and under such conditions as the mayor of the city may from time to time determine, all action taken by the department under this section shall be with the written approval of the mayor.

SECTION 4. The department may sell the buildings or other structures upon any lands taken by it, or may remove the same, and shall sell, if a sale be practicable, or if not, shall lease, if a lease be practicable, any lands or rights or interests in lands or other property taken or purchased for the purposes of this act, whenever the same shall, in the opinion of the department, cease to be needed for the said purpose. The proceeds of any such sale or lease shall be used for the payment of costs of construction and after construction is completed shall be paid into the sinking fund hereinafter provided for.

SECTION 5. The department may order the removal or relocation of any surface tracks, and the removal or relocation of any conduits, pipes, wires, poles, or other property located in public ways or places, which it deems to interfere with the laying out, construction or operation of the tunnel and other facilities authorized by this act, and shall grant new locations for any such structure so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, pipes, conduits, wires, poles, or other property in such public ways or places, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If any such owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles, or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any such structure in or upon private lands may be removed and relocated by the department, or, if removed and relocated by the owner thereof, the reasonable expense shall be repaid to him by the department. Any gas or electric lighting company shall shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far and for such time as may be necessary to prevent the escape or explosion of gas, or other public danger. This section shall not apply to facilities on property of the commonwealth under the control of the department of public works or installed under licenses or permits granted by said department, except with its approval.

SECTION 6. The city may place in the tunnel such wires and apparatus as may be necessary for its police and fire-alarm service,

to be used, however, exclusively for such service and to be so placed as the department may determine, but this privilege shall not extend to water pipes, except such as may be needed for fire protection and other uses therein.

The department may place and maintain or may grant permission to any corporation or person to place and maintain within the tunnel ducts or other structures, to be so located as not to interfere with the safe and convenient operation and maintenance of the tunnel and other apparatus which the city is hereinbefore permitted to place therein, and may contract with any such person or corporation for such permission or for the use of such ducts or other structures at such annual rate of rental as may be fixed by the department. The construction, maintenance and repairs of any such ducts or other structures shall be subject to such directions and regulations as the department may impose.

SECTION 7. No contract for construction work or for the purchase of apparatus, supplies or materials, the estimated cost of which amounts to five hundred dollars or more, shall be awarded by the department under this act unless proposals for the same have been invited by advertisements in at least one newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Such advertisements shall state the time and place where plans and specifications of proposed work or supplies may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the department the right to reject any or all proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this section. All contracts made by the department hereunder, where the amount involved is five hundred dollars or more, shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor is affixed thereto. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the department, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond and the department, with the approval of the mayor.

SECTION 8. For the purpose of meeting the cost of the tunnel, which shall include all expenses incurred in laying out and constructing the same and all facilities and appurtenances incidental thereto, including plazas and street approaches as described in section one, and all land damages, expenses of the department, such proportion of the salaries of the department as may in its opinion be properly chargeable thereto and all interest accruing prior to the use of the tunnel on debt incurred for the foregoing, the treasurer of the city shall, from time to time, on request of the department, with the approval of the mayor of the city and without any other authority than that contained in this act, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached,

as he may deem best, to an amount not exceeding sixteen million dollars. Such bonds shall be designated on their face, Traffic Tunnel Bonds, City of Boston, Act of 1929, shall be for such terms, not exceeding fifty years, as the mayor and the treasurer of the city may determine, and shall bear such interest, payable semi-annually, as the mayor and the treasurer of the city may determine. Such bonds may be called, retired and cancelled by the city on any date upon which interest is payable on said bonds after twenty years from their respective dates, by payment by the city of the amount of the face of said bonds with any accumulated unpaid interest, and the bonds shall contain a statement to such effect. The proceeds of such bonds shall be used only to meet the cost of the tunnel as hereinbefore defined. The debt incurred from time to time under the provisions of this act shall not be included in determining the limit of indebtedness of the city as established by law. The board of sinking fund commissioners of the city shall establish a sinking fund for the payment of the bonds issued under authority hereof. There shall annually be paid into such fund from tolls and charges or otherwise as hereinafter provided such sum at least as is necessary to provide for the payment of the principal of all such bonds at the expiration of fifty years from their respective dates; provided, that the first payment into said fund shall not be made prior to the expiration of one year after the entire tunnel is in operation. Upon and after the completion of the tunnel as aforesaid there shall also be paid into said fund the proceeds received from any sales or leases under section four and the balance of the proceeds of any bonds previously issued hereunder and no longer required for construction purposes.

All tolls, rents, percentages, compensation and other charges received for any use of the tunnel shall be used by the treasurer of the city only to meet the operating costs and, subject to the provisions of section twelve, the excess in any year of such tolls and charges over operating costs shall be paid into said fund.

SECTION 9. Upon the completion of the tunnel, the public works department of the city shall operate the same as a toll tunnel, and shall from time to time establish a schedule of tolls and charges for the use of the same, which, in the opinion of said public works department, subject to the approval of the department of public utilities, will pay all operating costs, which term wherever used in this act shall include charges for adequate maintenance and upkeep, operating expenses including therein proper policing, lighting, and ventilating, interest on all bonds issued under authority hereof, and such annual amounts as are necessary to provide a sinking fund for the payment of the principal of such bonds upon the expiration of such period of time, not less than twenty nor more than fifty years after their respective dates, as said public works department, with the approval of the department of public utilities, shall from time to time determine. If in any year such schedule of tolls and charges should prove to be insufficient, the said public works department shall establish such tolls and charges as will provide sufficient revenue to meet any deficit; provided, that if in the opinion of the said public works department such new schedule of rates and charges would not result in an increase in revenue, then it may establish

such new schedule of tolls and charges as it deems will produce the maximum revenue and any deficits resulting therefrom shall be met as provided in section eleven. All schedules of tolls and charges established under this section or under section twelve shall be subject to the approval of the department of public utilities. The said public works department shall collect such tolls and charges from the driver of each vehicle using said tunnel, and shall daily pay the same over to the city collector of Boston; provided, that no toll or charge shall be collected from the drivers of vehicles owned by the city or from drivers of ambulances.

SECTION 10. In addition to the full credit of the city, so much of all receipts from tolls and charges for or on account of the use of the tunnel as are required to be expended, by the provisions of this act, for the payment of the principal and interest of the bonds issued under section eight, as and when the same become due and payable, are hereby pledged to such payment; and said provisions are hereby declared to constitute contracts between the city and the holders of said bonds within the meaning of section ten of Article I of the constitution of the United States, and a recital thereof shall appear on the face of said bonds.

SECTION 11. If at any time during the operation of the tunnel the receipts from tolls and charges as established under section nine or twelve are insufficient to meet the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, the treasurer of the city is hereby authorized and directed to make payments on account of the same from any funds in the treasury of the city, including temporary tax loan funds but excluding trust funds. If for any year ending on the last day of June the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, exceed the receipts from such tolls and charges, the said treasurer shall notify the assessors of the city of the amount of such excess and the same amount shall be added to the amount to be raised by the city in the next annual tax levy. Any such amount shall be in excess of the limit imposed by law on the amount to be raised for municipal purposes by taxation in said city.

SECTION 12. Whenever as of the last day of June in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, including sinking fund requirements on a basis of the payment of all bonds issued hereunder at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, the public works department shall, subject to the provisions of said section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs.

SECTION 13. The department may engage such additional engineering employees as may in its judgment be required and are approved by the mayor of the city.

SECTION 14. The city shall have, hold and enjoy in its private or proprietary capacity, as its own property, the said tunnel and

the same shall never be taken by the commonwealth except on payment of just compensation.

SECTION 15. This act shall take effect upon its acceptance on or before July first of the current year by vote of the city council of the city of Boston, subject to the provisions of its charter; but for the purpose only of such acceptance, it shall take effect upon its passage.

Approved May 9, 1929.

Accepted June 19, 1929.

Section 1, Amended 1932, ch. 287, s. 1.

1936 Adv. Sh., 1979, 1985.

Section 2, 1936 Adv. Sh., 1979, 1984.

Section 7, 1936 Adv. Sh., 1979, 1984, 1985.

Section 8, Amended 1932, ch. 287, s. 2; 1935, ch. 455, s. 1.

Section 9, Amended 1932, ch. 287, s. 3; 1935, ch. 312; 1935, ch. 455, s. 2.

Section 10, Amended 1932, ch. 287, s. 4; 1935, ch. 455, s. 3.

Section 11, Amended 1935, ch. 74, s. 1; 1937, ch. 93, s. 1.

Section 12, Amended 1932, ch. 287, s. 5; 1935, ch. 74, s. 2; 1935, ch. 455, s. 4; 1937, ch. 93, s. 2.

See 1918 (S) ch. 185; 1931, ch. 30.

1936 Adv. Sh., 1979, 1985.

1929.—CHAPTER 338.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS ON CERTAIN LAND ABUTTING ON ST. JAMES AVENUE BETWEEN CLARENDON AND DARTMOUTH STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section one of chapter four hundred and fifty-two of the acts of eighteen hundred and ninety-eight prescribing a height limit for buildings on land abutting on St. James avenue between Clarendon and Dartmouth streets in the city of Boston shall apply only to any portion of a building within one hundred feet of said St. James avenue and in case any building on land abutting on said St. James avenue between said Clarendon and Dartmouth streets extends more than one hundred feet from said St. James avenue, the volume of the portion of such building within the restricted area hereinbefore mentioned shall not exceed ninety feet times the buildable area of the land within one hundred feet of said St. James avenue, and the volume of the remainder shall not exceed the volume permitted on the buildable area of the remaining land.

SECTION 2. Chapter two hundred and eighty-six of the acts of the current year is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved May 23, 1929.

1929.—CHAPTER 351.

AN ACT TO ESTABLISH A BOARD OF COMMISSIONERS OF SCHOOL BUILDINGS AND A DEPARTMENT OF SCHOOL BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The board of commissioners of school buildings of the city of Boston, hereinafter referred to as the board of commissioners, is hereby established and shall consist of three citizens of

Boston who otherwise are neither officials nor employees of said city, one of whom shall be appointed by the mayor of said city without approval by the civil service commissioners, one by the school committee thereof, and one shall be chosen by the two so appointed or shall be appointed by the governor if the appointees of the mayor and school committee fail to choose a commissioner as aforesaid within thirty days after the second of such appointees has been appointed. In the case of the original appointments hereunder, the appointments by the mayor and school committee shall be made within thirty days after the acceptance of this act and the commissioner appointed by the mayor shall serve until the expiration of three years, the one appointed by the school committee shall serve until the expiration of two years, and the one chosen by said appointees or appointed by the governor shall serve until the expiration of one year, from December first of the current year, and on or before the expiration of any term of a commissioner, his successor shall be appointed for a term of three years, in the manner provided for the appointment of the commissioner whose term expires; provided, that if the term expiring is that of a commissioner chosen by the appointees of the mayor and the school committee or appointed by the governor as aforesaid, a successor shall be appointed by the governor only in the event that said appointees fail to choose one within thirty days after the expiration of such term. All commissioners shall serve until the appointment of their successors. Any vacancy occurring in said board shall be filled for the remainder of the term by the mayor, by the school committee, by their appointees or by the governor, according as the original appointment was made; provided, that, in the case of a vacancy in the office of the commissioner chosen by said appointees, a commissioner to fill such vacancy shall be appointed by the governor only in the event that said appointees fail to choose a successor within thirty days after the occurrence of such vacancy. The commissioners shall serve without pay. The necessary expenses and cost of quarters, equipment, secretarial and clerical services shall be paid, upon approval of the school committee, from appropriations which it is authorized to make.

SECTION 2. The department of school buildings of the city of Boston is hereby established and shall be under the charge of a superintendent of construction who shall be elected by the board of commissioners and shall serve at the pleasure of said board. His salary shall be established by said board of commissioners, with the approval of the school committee, but shall not exceed twelve thousand dollars per annum. He shall make a written report to the mayor, to the school committee and to the board of commissioners annually or oftener as the mayor, or the school committee or the board of commissioners may require and in such manner and detail as may be required.

SECTION 3. Upon the election of a superintendent of construction under section two, the board of schoolhouse commissioners of the schoolhouse department, and said department, both existing under authority of chapter four hundred and seventy-three of the acts of nineteen hundred and one, and acts in amendment thereof and in addition thereto, shall be abolished. Except as provided in this act, said superintendent of construction shall, upon his election,

succeed to, have and exercise all the power and authority conferred, and shall be subject to all the duties and obligations imposed, by all existing laws, whether special or general, upon the board of schoolhouse commissioners of the schoolhouse department established as aforesaid, in addition to the powers and authority conferred, and the duties and obligations imposed, by this act.

SECTION 4. The said superintendent of construction shall appoint, with the approval of the board of commissioners, one or more deputy superintendents, one of whom shall have assigned to him the charge of repairs and alterations of all school buildings of said city, subject to the direction of the superintendent of construction. The deputy superintendents shall be paid such salaries as may be fixed by the superintendent of construction, with the approval of the board of commissioners.

SECTION 5. After the schoolhouse department of said city is abolished, all of its employees who are subject to civil service shall be reappointed to similar positions with the same status in the department of school buildings, without civil service examination or enrollment.

SECTION 6. The employees of the schoolhouse department referred to in section five shall, upon reappointment as therein provided, retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them, and their services shall be deemed to have been continuous, to the same extent as if this act had not been passed.

SECTION 7. The school committee of the city of Boston shall submit all proposed budgets and appropriation orders for the construction and furnishing of new school buildings both temporary and permanent, including the taking of land therefor, and for school yards and the preparing of school yards for use, and for the rent of hired school accommodations, and for the alteration and repair of school buildings, and for furniture, fixtures and means of escape in case of fire, and for fire protection for existing buildings, and for improving existing school yards, to the board of commissioners who shall make written report thereon to the school committee after such examination and investigation as said board of commissioners may desire to make, and no appropriation of money for any of the above-named purposes shall be made by the school committee until such report shall have been made to the school committee by said board of commissioners. All such reports of the board of commissioners shall be incorporated in full in the minutes of the school committee meeting next following the receipt thereof.

SECTION 8. The superintendent of construction shall not erect or substantially alter any building or provide temporary school accommodations, or furnish school buildings, or prepare school yards until the superintendent of public schools of said city shall have submitted in writing to said superintendent of construction a requisition or order adequately describing the building to be altered or erected or the need to be supplied; nor shall said superintendent of construction substantially alter or erect any building requiring plans and specifications until such plans and specifications have received, in writing, the approval of the superintendent of public schools; nor shall said superintendent of construction request the street commissioners to take any land, except within the limits of a

school district which shall first be designated by the school committee, nor until the superintendent of public schools shall approve in writing the particular parcel of land to be taken. The school committee may authorize payment of money for lands taken, without the approval of the mayor.

SECTION 9. This act shall be submitted for acceptance to the voters of said city at the city election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election:—"Shall an act passed by the general court in the year nineteen hundred and twenty-nine, entitled 'An Act to establish a board of commissioners of school buildings and a department of school buildings in the city of Boston', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved May 25, 1929.

Accepted at City Election Nov. 5, 1929.

Section 2, 271 Mass. 380, 381, 382.

Section 3, 271 Mass. 380, 381.

Section 4, Amended 1930, ch. 259, s. 1.

See 1901, ch. 473.

271 Mass. 380, 381, 382; 1937 Adv. Sh., 1515, 1516, 1517.

1929.—CHAPTER 352.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO BORROW MONEY TO MAKE UP DEFICITS IN EXISTING APPROPRIATIONS FOR STREET WIDENINGS.

(City of Boston Street Widenings and Extension Loan, Act of 1929. Authorizes borrowings for Dock square, Faneuil Hall square, Kneeland street, Tremont street and Cambridge and Court streets improvements.)

1929.—CHAPTER 368.

AN ACT TO PROVIDE ADDITIONAL COURT HOUSE ACCOMMODATIONS AND FACILITIES FOR THE COURTS AND OTHER OFFICIALS IN THE COUNTY OF SUFFOLK.

Not accepted.

1929.—CHAPTER 371.

AN ACT PROVIDING FOR THE IMPROVEMENT OF THE CHARLES RIVER BASIN FOR RECREATIONAL AND OTHER PURPOSES, FOR THE LAYING OUT AND CONSTRUCTION OF CERTAIN PARKWAYS ALONG THE BASIN, AND FOR THE IMPROVEMENT OF CERTAIN STREETS IN BOSTON AND CAMBRIDGE NEAR SAID BASIN.

(Street Commissioners empowered to lay out and construct vehicular circle at westerly end of Cambridge street and at easterly end of dam, and to make incidental improvements and to widen part of Charles street — City of Boston, Charles River Basin and Street Loan, Act of 1929.)

Section 2, Amended 1931, ch. 179, s. 1.

Section 8, Amended 1931, ch. 179, s. 2.

Section 9, Amended 1931, ch. 179, s. 3.

Section 15, Amended 1931, ch. 179, s. 4.

1929.— CHAPTER 383.

AN ACT RELATIVE TO TRANSPORTATION FACILITIES IN THE METROPOLITAN DISTRICT. *

(Metropolitan Transit Council established.)

Section 8, Rejected by City Council Oct. 28, 1929.

Section 10, 1936 Adv. Sh., 1, 7.

1930.— CHAPTER 92.

AN ACT RELATIVE TO THE USE OF CERTAIN STREETS IN THE CITY OF BOSTON BY THE UNION FREIGHT RAILROAD COMPANY.

See 1872, ch. 342, s. 1.

1930.— CHAPTER 97.

AN ACT PROVIDING FOR THE DREDGING OF LEVERETT POND AND MUDDY RIVER IN THE TOWN OF BROOKLINE AND THE CITY OF BOSTON.

1930. — CHAPTER 105.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriations for municipal purposes for 1930, \$16.00.)

1930.— CHAPTER 146.

AN ACT RELATIVE TO THE PLUMBING LAWS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and twenty-one of chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out the last paragraph of the subdivision appearing under the heading "Cast Iron Pipes, etc." and inserting in place thereof the following:—

All joints shall be made with picked oakum and molten lead run full, and be made gas tight. Threaded joints may be used on cast iron pipe when above ground, with the approval of the building commissioner. No cement joints nor connections between iron and cement or tile pipe or brick drains shall be made within any building.

SECTION 2. Section one hundred and twenty-two of said chapter five hundred and fifty, as amended by section twenty-five of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the first paragraph and inserting in place thereof the following:—

Drain, waste and connecting ventilation pipes, vents and back air pipes shall be of sufficient size, and made of extra heavy cast iron pipe if under ground, and if above ground shall be made of extra heavy cast iron, of galvanized wrought iron of standard weight, of not less than number thirteen Stubbs gauge brass pipe within the building, or of such other material as the building commissioner may approve, except that lead pipes may be used for short connections exposed to view. Cast iron drains shall extend not less than ten feet from the inside face of the wall beyond and away from the building.

Approved March 26, 1930.

1930.—CHAPTER 167.

AN ACT REPEALING THE PROVISIONS OF LAW SUBJECTING THE APPOINTMENT OF DEPARTMENT HEADS AND OTHERS IN THE CITY OF BOSTON TO APPROVAL BY THE CIVIL SERVICE COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by section one of chapter five hundred and fifty of the acts of nineteen hundred and twelve, and section eleven of said chapter four hundred and eighty-six are hereby repealed.

SECTION 2. Section two of chapter thirty-one of the General Laws is hereby amended by striking out all after the word "commissioner" in the third and fourth lines,—so as to read as follows:—*Section 2.* In addition to other duties imposed by this chapter and chapter thirteen, the board shall hear and decide all appeals taken by an applicant, eligible person or appointee from any decision of the commissioner.

SECTION 3. This act shall take effect upon its passage.

Approved April 2, 1930.

1930.—CHAPTER 168.

AN ACT AUTHORIZING THE CITY OF BOSTON TO ESTABLISH AND MAINTAIN AN OFFICIAL THOROUGHFARE PLAN.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of Boston, after receipt from the city planning board, the board of street commissioners and the board of park commissioners of said city of their recommendations and proposals therefor, may adopt an official thoroughfare plan, designed to include a system of major traffic streets, express roads and major traffic parkways, to meet future as well as present traffic needs in so far as they may be reasonably determined. Before submitting any such recommendations or proposals, said boards sitting jointly shall hold a public hearing thereon. Such plan may be amended from time to time, after public notice and hearing, by said three boards sitting jointly, with the approval of the mayor.

SECTION 2. After the adoption of an official thoroughfare plan, as authorized by section one, no major traffic street, express road or major traffic parkway shall be laid out or constructed until a general plan therefor has been submitted to each of said boards, which shall have a reasonable time, not less than thirty days, within which to consider and report thereupon. If any such board in any such report disapproves of any feature or portion of such general plan, no action shall be taken thereunder unless and until such feature or portion receives the express approval of the mayor, after consideration by him of the objections of said board.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 2, 1930.

Accepted May 6, 1930.

See 1870, chap. 337; 1875, ch. 185.

1930.—CHAPTER 178.

AN ACT RELATIVE TO SEWERAGE WORKS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and twenty-six of the acts of eighteen hundred and ninety-seven, as amended by section one of chapter two hundred and fifty-seven of the acts of eighteen hundred and ninety-eight, by section one of chapter four hundred and fifty of the acts of eighteen hundred and ninety-nine, by section three of chapter four hundred and seventy-eight of the acts of nineteen hundred and by section one of chapter two hundred and sixty-eight of the acts of nineteen hundred and three, and as affected by chapter two hundred and four of the acts of nineteen hundred and eight, is hereby further amended by striking out, in the ninth and tenth lines, the words "sums not exceeding one million dollars in any one year" and inserting in place thereof the words:— such sums as shall be recommended by the commissioner of public works, with the approval of the mayor, — so as to read as follows:— *Section 1.* The board or boards authorized to make appropriations for the city of Boston, by a majority vote of the members of such board or boards, approved by the city council of said city by the affirmative vote of two thirds of all the members of each branch thereof, taken by a call of the yeas and nays, or, if there should be no such board or boards, then said city council by such two thirds vote, may annually appropriate, to be met by the issue of bonds as hereinafter provided, such sums as shall be recommended by the commissioner of public works, with the approval of the mayor, for constructing sewerage works in said city, and shall also appropriate, to be met by the annual income and taxes of said city, sums for maintaining and operating the sewerage works, and such sums as the city treasurer of said city shall each year determine to be the amount to be used for interest on the bonds issued for sewerage works, and also the amount to be used for the sinking funds for bonds issued for sewerage works, which, with all other amounts so used, and their accumulations, will pay all such bonds at maturity; and there shall also be used for said sinking funds all premiums received from the sale of said bonds, and all amounts received for breach of any contract for constructing sewerage works, or for securities deposited as security for making such contracts and declared to be forfeited to the city, or for sales of property. All sewers, drains, pumping stations and other works for the collection or disposal of sewerage, or surface or ground water in said city shall be included in the term "sewerage work", as used in this act, and no such work shall hereafter be constructed in said city, except under authority of this act, or of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment of or in addition to said acts or either of them, unless the same has been ordered to be constructed before the passage thereof. Any such sewerage work aforesaid may hereafter be constructed by the superintendent of streets of said city, or by such other officer as the mayor shall designate, in any public way or place, or in any land owned by the city or in which the city has acquired authority to lay such sewerage work; but before commencing the construction of any

sewer the superintendent or officer shall cause to be recorded in the Suffolk registry of deeds a statement approved by the mayor of his intention to construct the sewer, naming the street or otherwise describing the land in which the sewer is to be constructed, and giving his estimate of the cost thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1930.

1930.—CHAPTER 236.

AN ACT EXEMPTING THE EMPLOYEES AND OTHER ASSISTANTS OF
THE BOSTON PORT AUTHORITY FROM THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter two hundred and twenty-nine of the acts of nineteen hundred and twenty-nine is hereby amended by inserting after the word "assistants" in the third line the words:— who shall not be subject to chapter thirty-one of the General Laws,— so as to read as follows:— *Section 3.* Said board shall have an office in the city of Boston and may employ such experts, counsel and other assistants, who shall not be subject to chapter thirty-one of the General Laws, and incur such other expense as it may deem necessary. All such expenses shall be paid by the city of Boston upon requisition by the board to the extent that appropriations therefor are available, but not exceeding in the aggregate in any one year the sum of fifty thousand dollars; provided, that said board shall have the same right to incur expense in anticipation of its appropriation as if it were a regular department of said city.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1930.

1930.—CHAPTER 259.

AN ACT RELATIVE TO THE SUPERINTENDENT OF CONSTRUCTION OF
THE DEPARTMENT OF SCHOOL BUILDINGS OF THE CITY OF BOSTON
AND HIS DEPUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-one of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section four and inserting in place thereof the following:— *Section 4.* The said superintendent of construction shall appoint, subject to confirmation by a majority of the board of commissioners and may, after hearing before said superintendent and subject to approval by a majority of said board, remove, not more than three deputy superintendents, one of whom shall have assigned to him the charge of repairs and alterations of all school buildings of said city subject to the direction of said superintendent. One of said deputies may be designated by the said superintendent, with like approval, to perform the duties of said superintendent in case of absence, disability or vacancy in office. The deputy superintendents shall be paid such salaries as may be fixed by the said superintendent, with

the approval of a majority of said board. No appointment under this section or section two shall be subject to chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1930.

1930.— CHAPTER 264.

AN ACT RELATIVE TO THE WIDENING AND CONSTRUCTION OF SUMMER AND L STREETS IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON.

(City of Boston, Summer and L Streets Improvement Loan — Act of 1930. Tax limit increased.)

Accepted May 12, 1930.

Section 1, Amended 1931, ch. 116, s. 1.

Affected 1932, ch. 176, s. 2.

1930.— CHAPTER 283.

AN ACT REGULATING APPROPRIATIONS FOR GENERAL AND OTHER SCHOOL PURPOSES IN THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, clauses "a" and "e". Authorizes appropriations for payment of certain school-house bills and increases tax limit.)

1930.— CHAPTER 291.

AN ACT AUTHORIZING THE CITY OF BOSTON TO RELOCATE, RESTORE, PRESERVE AND MAINTAIN THE HOUSE USED BY GENERAL JOHN THOMAS AS HIS HEADQUARTERS DURING THE SIEGE OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, by such department as the mayor of said city may designate, is hereby authorized to remove the Dillaway house, so called, which was used by General John Thomas as his headquarters during the siege of Boston, from its present location on a parcel of land abutting upon Eliot square or Roxbury street in said city, the control of which is now in the school committee of said city, to another appropriate location on the same parcel, to be determined by the school committee with the approval of the mayor, and thereafter to restore said house as nearly as may be to its original condition. In the event that such a course of action is decided upon and some department other than the school committee is designated as aforesaid, the school committee shall transfer the control of said building and of such portion of said parcel as may be appropriate and necessary for such relocation, to the general control of said city. For the aforesaid purposes, the said city is hereby authorized to appropriate and expend from the general revenue raised by taxation, or from moneys donated for the purpose or both, a sum not exceeding twenty-five thousand dollars; and any money so raised shall be outside the tax limit as fixed for the city in the year in which the appropriation is made. After such relocation and restoration, the said city is hereby authorized to preserve and maintain

said house as a place of historical interest, and for the purpose of defraying the expense thereof may appropriate and expend money from the annual general revenue of the city or from moneys donated for the purpose, or both.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1930.

1930.—CHAPTER 304.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING SANITARY AND SURFACE DRAINAGE SEWERS.

(Boston Sewer Loan, Act of 1930.)

Accepted, May 12, 1930.

1930.—CHAPTER 305.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO BORROW MONEY FOR THE RECONSTRUCTION OF STREETS.

(Boston Street Loan, Act of 1930.)

Accepted May 12, 1930.

1930.—CHAPTER 306.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE LAYING OUT AND CONSTRUCTION OF STREETS.

(Boston Street Laying-out and Construction Loan, Act of 1930.)

Accepted, May 12, 1930.

1930.—CHAPTER 313.

AN ACT RELATIVE TO APPROPRIATIONS FOR CONSTRUCTION AND CERTAIN OTHER PURPOSES BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

(Authorizes appropriations for construction, etc., and borrowing.)

(City of Boston School Loan, Act of 1930.)

(Tax limit increased.)

See 1919 (S) ch. 206, s. 1.

1930.—CHAPTER 347.

AN ACT FURTHER REGULATING THE USE OF BUILDINGS AND PREMISES AND THE BULK AND OCCUPANCY OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended, is hereby further amended by inserting after the paragraph entitled "Lot" the following two paragraphs:—

Semi-detached building: A building that is joined on one side to another building with a party wall between the two buildings.

Pair of semi-detached buildings: Two buildings separated by a party wall.

SECTION 2. Paragraph (17) of section six of said chapter four hundred and eighty-eight is hereby amended by striking out in the first line the word "twenty" and inserting in place thereof the word:—fifty,—so that said paragraph will read as follows:—(17) Ice manufacture for sale, or storage of more than fifty tons;

SECTION 3. Paragraph (11) of section sixteen of said chapter four hundred and eighty-eight is hereby amended by inserting after the word "first" in the fourth line of said paragraph the word:—dwelling,—so that said paragraph will read as follows:—(11) The limitation of building area herein prescribed shall apply in a thirty-five foot or forty foot single or general residence district at the curb grade; for a dwelling in any other district at a level not more than two feet above the first dwelling story floor; elsewhere not more than two feet above the second story floor; and not more than twenty feet above the mean curb grade in any case.

SECTION 4. Section eleven of said chapter four hundred and eighty-eight, as amended in the second paragraph by section two of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out said paragraph and inserting in place thereof the following:—

Height and Occupancy: No building or structure shall exceed thirty-five feet or two and one half stories in height and no building or structure used for habitation, whether consisting of a single building or a pair or group of semi-detached buildings or an attached group of buildings, shall accommodate or make provision for more than two families.

Approved May 23, 1930.

1930.—CHAPTER 348.

AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section forty-nine of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out, in the second line, the words "fifteen hundred" and inserting in place thereof the words:—two thousand,—so as to read as follows:—*Section 49.* Each member of the city council shall be paid an annual salary of two thousand dollars; and no other sum shall be paid from the city treasury for or on account of any personal expenses directly or indirectly incurred by or in behalf of any member of said council.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Boston at the state election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election:—"Shall an act passed by the general court in the year nineteen hundred and thirty, entitled 'An Act relative to the salaries of the members of the city council of the city of Boston', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved May 23, 1930.

Accepted Nov. 4, 1930.

1930.—CHAPTER 357.

AN ACT RELATIVE TO THE TRANSFER OF CERTAIN LAND IN THE ROXBURY DISTRICT OF THE CITY OF BOSTON FROM THE PARK DEPARTMENT TO THE LIBRARY DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Such portion of the Mission Hill playground, located in the Roxbury district of the city of Boston, as shall be determined by the board of park commissioners of the city of Boston and the trustees of the public library of the city of Boston shall hereafter be devoted to library purposes and shall be under the control of said trustees.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1930.

See 1878, ch. 114; 1875, ch. 185.

1930.—CHAPTER 387.

AN ACT RELATIVE TO PENSIONING CERTAIN MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-three of the acts of eighteen hundred and ninety-two, as amended in section one by section one of chapter six of the acts of nineteen hundred and twenty, is hereby further amended by striking out said section one of said chapter three hundred and fifty-three and inserting in place thereof the following:—*Section 1.* The police commissioner for the city of Boston shall, at the request of any member, engineer or fireman of the police department in good standing who has arrived at the age of sixty years and who has performed active service in the department for twenty-five consecutive years, retire him from active service and place him upon a pension roll, and may retire from such service and place upon a pension roll any member of the police department who has performed faithful service in said department for a period of not less than twenty years and who shall be certified to said commissioner in writing, by the medical board provided for by section eighteen of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, to be incapacitated for useful service on said force, and shall retire from such service and place upon a pension roll any member of said force who has arrived at the age of sixty-five years, or any member who shall be certified to the commissioner in writing, by said medical board, to be permanently incapacitated, either mentally or physically, by injury sustained in the actual performance of duty, from further performing duty as such member; provided, that no member, engineer or fireman of said department shall be retired under the provisions hereof unless such action is approved in writing by the mayor of the city of Boston after receipt from the police commissioner of a certificate stating that such member, engineer or fireman is in good standing and that no charges are pending against such member, engineer or fireman. Such a certificate shall not be made by the police commissioner until after the expiration of a period of ten days from the filing of an

application for retirement under the provisions hereof, during which period the police commissioner, or a lieutenant or other officer of higher rank in the department if authorized so to do, may prefer charges against the member, engineer or fireman so applying for retirement.

SECTION 2. Chapter three hundred and six of the acts of nineteen hundred and all acts in amendment thereof and in addition thereto are hereby repealed; but such repeal shall not affect any pension granted thereunder prior to the effective date of this act.

SECTION 3. Only those who on the effective date of this act are covered by chapter three hundred and fifty-three of the acts of eighteen hundred and ninety-two and acts in amendment thereof and in addition thereto or by chapter three hundred and six of the acts of nineteen hundred and acts in amendment thereof and in addition thereto or by chapter four hundred and two of the acts of nineteen hundred and four shall be eligible to be retired and pensioned under section one of this act, subject, however, to the provisions thereof. Nothing herein contained shall be construed to affect chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two and acts in amendment thereof and in addition thereto or chapter three of the acts of nineteen hundred and twenty-nine.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 28, 1930.

Accepted July 8, 1930.

1930.— CHAPTER 392.

AN ACT PROVIDING FOR THE REGULATION AND LIMITATION OF HACKNEY STANDS AND HACKNEY CARRIAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Except as otherwise provided in chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, the police commissioner of the city of Boston shall have exclusive authority to make rules and orders for the regulations of hackney carriages and hackney stands, both as defined in section two, within the limits of said city, with penalties for the violation thereof not exceeding twenty dollars for each offence. Such rules and orders shall not take effect until they have been published at least once in a newspaper published in said city.

SECTION 2. Each vehicle used or designed to be used for the conveyance of persons for hire from place to place within the city of Boston, except a street or elevated railway car or a trackless trolley vehicle, within the meaning of section two of chapter one hundred and sixty-three of the General Laws, or a motor vehicle, known as a jitney, operated in the manner and for the purposes set forth in section forty-five of chapter one hundred and fifty-nine of the General Laws, or a sight-seeing automobile licensed under chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen, shall be deemed to be a hackney carriage within the

meaning of sections two to nine, inclusive, of this act; and in said sections, unless the context otherwise expressly requires, the words "drive" and "driver" shall be respectively deemed to include "operate" and "operator", a special hackney stand shall be one for the exclusive use, for hackney carriage purposes, of the licensee thereof, a private hackney stand shall be one established only upon private property, and a public hackney stand shall be one for the common use, for hackney carriage purposes, of all licensees under section four except those licensed to use special hackney stands.

SECTION 3. In said city, no person shall drive or have charge of a hackney carriage, nor shall any person, firm or corporation set up and use a hackney carriage, unless licensed thereto by the police commissioner of the city of Boston; nor shall any person having the care or ordering of such a vehicle in said city suffer or allow any person other than a driver so licensed to drive such a vehicle.

SECTION 4. Said police commissioner of the city of Boston may annually grant hackney licenses in said city to suitable persons, firms and corporations who are owners of vehicles known as hackney carriages, if such person, or one member of such firm, resides in such city, or if the principal place of business of such corporation is in such city. Licenses granted under this section shall be subject to such terms, conditions and regulations, and be issued subject to the payment of such fees, as said police commissioner shall from time to time prescribe. Said commissioner shall also from time to time fix maximum and minimum rates to be charged by said licensees for use of such vehicles.

SECTION 5. Upon the receipt from the owner, lessee or official representative of a hotel, railroad station, steamboat pier or public or semi-public building in said city, or a request that a certain named licensee or licensees under section four or association of such licensees may use as a special hackney stand a designated portion of a public way abutting such hotel, station, pier or building, the police commissioner of the city of Boston may, if consistent with the public interest, assign such stand to such licensee, licensees or association of licensees; provided, that said commissioner shall not make any such assignment unless and until he is satisfied that, in connection with such request or designation, no valuable consideration has been paid or promise given to such owner, lessee or official representative. Said commissioner shall grant no location for a special hackney stand which does not abut such a hotel, station, pier or building.

SECTION 6. Any owner, lessee or official representative referred to in section five, who solicits, demands or accepts compensation for requesting or designating a portion of any public way in said city for use by a licensee as a special hackney stand shall be punished by a fine in an amount not exceeding double the compensation so solicited, demanded or accepted and by imprisonment for not more than six months. Payments by the licensee of a special hackney stand of any compensation to the owner, lessee or official representative of any property abutting said stand for the use of a doorway or other entrance, lobby, waiting room or telephone stand in connection with the use of such hackney stand, shall be prima facie evidence of a violation of this section.

SECTION 7. Any person, firm or corporation licensed under

section four may occupy as a private hackney stand, subject to general provisions of law, private property in said city, if thereto authorized by the owner, lessee or official representative thereof.

SECTION 8. Said police commissioner shall, from time to time, designate certain portions, other than sidewalks, of public ways in said city, to be used and known as public hackney stands. Such stands shall be equally free and open of access to all vehicles whose owners are licensed under section four, who have not been assigned special hackney stands and who have complied with all provisions of sections two to eight, inclusive, of this act, relative to such stands, and with all rules and regulations of said commissioner relative thereto. Within that portion of the city proper, as defined in the present rules and regulations of the police department of said city relative to hackney carriages, lying north and east of Massachusetts avenue, said commissioner shall, so far as practicable, establish such stands at intervals of not more than one quarter of a mile. All such stands shall be plainly marked as public hackney stands. No motor vehicle other than a hackney carriage licensed for use at such a stand shall make use of any such public hackney stand. Said police commissioner shall, upon application for a public hackney stand by an applicant for a license under section four, issue to such applicant for each hackney carriage for which a license under said section four is granted, a license for said carriage to use public hackney stands unless such carriage has been assigned to a special stand under section five.

SECTION 9. All acts and parts of acts inconsistent with sections two to eight, inclusive, of this act, are hereby repealed, and all rules and regulations of the police commissioner of Boston inconsistent with said sections are hereby made null and void.

SECTION 10. Notwithstanding the provisions of this act, all licenses otherwise affected thereby which are in effect on its effective date shall continue in force until the expiration date of such licenses, unless sooner revoked in accordance with law.

Approved May 28, 1930.

Section 2, Amended 1931, ch. 408, s. 7; 286 Mass. 47, 49.

Section 4, Amended 1933, ch. 306.

Section 4, Amended 1934, ch. 280, s. 1.

Section 5, 1937, Adv. Sh., 615, 620.

Section 6, 1937, Adv. Sh., 615, 620.

See 1906, ch. 291; 1929, ch. 263; 286 Mass. 47, 48, 49; 1936 Adv. Sh., 1041.

1930.— CHAPTER 394.

AN ACT PROVIDING FOR THE ELIMINATION OF THE CROSSING AT GRADE AT GOVERNOR SQUARE IN THE CITY OF BOSTON BY STREET RAILWAY CARS USING THE BOYLSTON STREET SUBWAY.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five is hereby amended by striking out section two and inserting in place thereof the following:— *Section 2.* The transit department of the city of Boston may make such

alterations in and extensions to the Boylston street subway as it may deem necessary for the purpose of eliminating the crossing at grade of Governor square by cars using said subway, for the improvement of street car service on Commonwealth avenue and Beacon street, for the purpose of providing means for a convenient interchange of passengers between cars or trains operated in said subway and those operated, on surface lines connecting therewith and for improving the transportation facilities furnished in said subway, and to that end shall have the powers conferred upon the Boston transit commission by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven and amendments thereof. Said alterations and extensions shall be so designed and constructed that cars from both Beacon street and Commonwealth avenue can be operated through said Boylston street subway. To meet the cost of such alterations and extensions, the city of Boston may issue bonds (hereinafter called subway bonds) to an amount not exceeding three million one hundred thousand dollars increased by such amount, if any, as may be agreed upon by said transit department and the Boston Elevated Railway Company, hereinafter called the company, in the event that alterations in the plan originally approved are agreed upon and approved as hereinafter provided, in the same manner as bonds issued to meet the original cost of the Boylston street subway, and all rentals or other payments received by said city under this act shall be used so far as necessary for the payment of interest on said bonds and the balance shall be used for the payment of the principal thereof.

To meet any additional cost of such alterations and extensions over and above the amount of subway bonds hereinbefore authorized to be issued, the treasurer of the city of Boston, without any other authority than that contained in this act, shall from time to time on request of the transit department issue and sell at public or private sale bonds of the city to an amount sufficient to provide funds for the payment of such additional cost, which bonds shall be outside the statutory limit of indebtedness. Each authorized issue of bonds shall constitute a separate loan. The bonds shall be designated on their face, Governor Square Improvement Bonds, Act of 1930; shall be in such form of coupon bonds or registered bonds without coupons or coupon bonds exchangeable for registered bonds as the treasurer of the city shall determine; shall be for such terms not exceeding fifty years from the dates of issue as the mayor and treasurer of the city shall determine; shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen, and shall be payable by such annual payment as will extinguish the same at maturity and so that the first of said annual payments on account of any loan shall be made not later than one year after the date of the bonds issued therefore and that the amount of said payments in any year on account of such loan shall not be less than the amount of the principal of the loan payable in any subsequent year. The said annual amounts, together with the interest on the loan, shall without further action be assessed until the debt is extinguished.

No such work shall be done, however, unless and until a plan therefor shall be approved by the department of public utilities, and

unless and until a contract between the city of Boston and the company shall have been executed for the sole and exclusive use by the company of such alterations and extensions for a term ending upon the termination of the lease of said subway. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the consent thereto of the company in writing. The contract shall be in the same general form as those authorized by said chapter seven hundred and forty-one, except in so far as any other provisions may be agreed upon by said transit department and the company as specially applicable to the demised premises. The net cost of such alterations and extensions shall be determined in the manner provided in said chapter seven hundred and forty-one but for the purposes of determining the rental shall not be deemed to exceed three million one hundred thousand dollars, increased by any sum which may be agreed upon by said transit department and the company in the event that alterations of the plan originally approved are later agreed upon by them and approved as aforesaid. The rental shall be payable annually on the twenty-fifth day of July in each year. Any alteration or extension made under this act shall be deemed a part of the Boylston street subway. Such contract for use shall provide that the company shall pay to the city of Boston for each full year ending with the last day of June, and ratably for any portion of a year, an annual rental, which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of such alterations and extensions in addition to the annual amount of interest on the subway bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, however, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of June the amount originally established, such excess to be determined and obligation to pay such rental to accrue in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing proviso the company does not make the full rental payments as above provided, the commonwealth shall, during the term of said contract and until the subway bonds issued by the city of Boston under this section shall have been paid, or a sinking fund accumulated sufficient to pay the same at maturity, pay to the city of Boston on or before August first in each year one half of any amounts so unpaid, and the city of Boston shall place the other half in its next ensuing tax levy.

On application of the city of Boston, the department of public utilities shall determine the amount so to be paid by the commonwealth. In order to provide for any such payment, the state treasurer may borrow as provided in section eleven of said chapter one hundred and fifty-nine. In case the commonwealth shall be called upon to make any payments hereunder, the amount thereof, with interest or other charges incurred in borrowing money for the purpose, shall be assessed upon the cities and towns which paid assessments under the last preceding assessment under section fourteen

of said chapter one hundred and fifty-nine in proportion to the amounts paid, and shall be assessed and collected in the manner provided in said section fourteen.

SECTION 2. Said chapter three hundred and forty-one is hereby further amended by striking out section three and inserting in place thereof the following:—*Section 3.* If, as of the last day of June in any year during the period of public operation of the company under the provisions of said chapter one hundred and fifty-nine, the reserve fund provided for in said chapter shall, after deducting the amount of the annual rental herein provided for, exceed the amount originally established, the trustees of the Boston Elevated Rai way company shall apply the excess, so far as necessary, to reimburse the commonwealth for all amounts paid by the commonwealth to the City of Boston under the provisions of section two of this act, and in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine.

SECTION 3. Said chapter three hundred and forty-one is hereby further amended by adding at the end thereof the three following new sections:—*Section 4.* Upon and after the termination of public operation of the company under said chapter one hundred and fifty-nine, the reserve fund established under the provisions of section five of said chapter shall, except as provided in section thirteen of said chapter and in this act, be used only for the purpose of making good any deficiency in income if the same is insufficient to meet the cost of the service as defined in said chapter, and whenever, on the other hand, such income is more than sufficient to meet the said cost of the service, the excess shall be transferred to and become a part of the reserve fund.

Section 5. Upon and after such termination of public operation, the company shall, on or before the thirty-first day of July in each year, report to the state treasurer the amount, if any, by which said reserve fund on the preceding thirtieth day of June, after deducting the amount of the annual rental herein provided for, exceeded the amount originally established, and the company shall thereupon pay over such excess in so far as necessary to reimburse the commonwealth for all amounts paid after such termination of public operation, by the commonwealth to the city of Boston under the provisions of section two of this act. If the state treasurer or the attorney general is not satisfied as to the correctness of said report, either may, at any time within sixty days after its receipt, petition the department of public utilities for a determination of such excess and said department shall determine the same. If the amount of such excess, so determined, is greater than the amount originally reported, the balance shall be paid by the company to the commonwealth within twenty days from the date of such determination.

Section 6. Any amounts reimbursed to the commonwealth under the provisions of this act shall be distributed among the cities and towns assessed under this act in proportion to the amounts so assessed.

SECTION 4. This act shall take effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its

board of directors, and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year. For the purpose of such acceptances, this act shall take effect upon its passage.

Approved May 28, 1930.

Accepted by the City Council June 2, 1930; Approved by the Mayor June 3, 1930; Accepted by the Company, June 3, 1930.
See 1894, ch. 548.

1930.—CHAPTER 420.

AN ACT AUTHORIZING CERTAIN HIGHWAY AND OTHER IMPROVEMENTS IN CERTAIN CITIES AND TOWNS WITHIN THE METROPOLITAN DISTRICT.

(Authorizes construction by City of Parkway in West Roxbury and borrowing therefor.)

Be it enacted, etc., as follows:

PART 1.

* * * * *

SECTION 2. Said department * is hereby further directed to lay out and construct a highway in the city of Boston, beginning at a point on Washington street in the West Roxbury district of said city, near its intersection with the West Roxbury parkway; thence over public and private lands and public and private ways, including portions of Poplar street and Canterbury street, and including a crossing at other than grade of the Boston and Providence division of the New York, New Haven and Hartford Railroad Company, to Blue Hill avenue, at its interesection with Canterbury street.

* * * * *

SECTION 16. When the work authorized by section two shall have been completed, said highway shall become a city way and shall be kept in good condition and repair by the city of Boston and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply thereto. The department is hereby authorized, on behalf of the commonwealth, to transfer to said city, the title to all lands and/or rights therein taken or acquired for the laying out and/or construction of said highway.

* * * * *

Approved May 29, 1930.

Section 1, Amended 1931, ch. 454, s. 1.
Section 2, Amended 1931, ch. 454, s. 2.
Section 4A, Added 1931, ch. 454, s. 6.
Section 7, Amended 1931, ch. 454, s. 3.
Section 10, Amended 1931, ch. 454, s. 4.
Section 13, Amended 1931, ch. 454, s. 5.
Section 21, Repealed, 1931, ch. 450.
Section 25, Amended, 1931, ch. 450.
See 1875, ch. 185.

* The Department of Public Works.

RESOLVES, 1930.—CHAPTER 53.

RESOLVE AUTHORIZING ADDITIONAL LEASES TO THE CITY OF BOSTON FOR AIRPORT PURPOSES OF CERTAIN LANDS OF THE COMMONWEALTH IN EAST BOSTON AND PROVIDING FOR CERTAIN RESERVATIONS TO PROTECT THE COMMONWEALTH'S INTERESTS.

Resolved, That the department of public works, subject to such terms, conditions and restrictions as the governor and council may approve, is hereby authorized to lease, from time to time, to the city of Boston for airport and seaplane purposes for a term expiring simultaneously with the lease executed under authority of chapter sixty-four of the resolves of nineteen hundred and twenty-eight, additional land of the commonwealth in the control of said department in that part of said city called East Boston; provided, that said lease shall reserve to the commonwealth such use of said land for military purposes as it may require. Said department is hereby authorized to include in said lease a provision binding the commonwealth, at the end of the term thereof, to reimburse said city for expenditures made by it for filling and grading said land and also to pay such sum as shall represent the fair value, if any, to the commonwealth, for the then intended use of such runways, buildings and other structures as shall have been built on said land by and at the expense of said city. Any lease executed hereunder shall contain such reservations and restrictions as may be necessary to permit the use by the commonwealth of a strip of land five hundred feet in width adjacent to and lying northerly of the bulkhead extending easterly from Jeffries Point toward Governor's Island in East Boston as a means of access to other lands of the commonwealth and to the area intended to be developed for an airport, and to prohibit the erection of structures on said strip of land; and shall provide, without expense to the commonwealth, for the reservation of suitable space on any land leased to said city hereunder or under said chapter sixty-four on which the commonwealth may erect such hangars and other buildings as it may deem necessary for aviation purposes.

Approved May 24, 1930.

See Resolves 1928, ch. 64.

 1931.—CHAPTER 2.

AN ACT RELATIVE TO THE RECONSTRUCTION OF A PART OF CENTRE STREET IN THE CITY OF BOSTON AND TO ITS CONTROL AFTER RECONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and forty-eight of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section one and inserting in place thereof the following:—

Section 1. The board of street commissioners of the city of Boston may, with the approval of the mayor of said city, lay out, widen, extend, relocate and reconstruct Centre street in said city from a point at or near May street to a point at or near South street.

SECTION 2. All sums of money which, prior to the passage of this act, have been voted to be provided from taxes or other sources of revenue and the proceeds of any securities which, prior

to such passage, have been authorized under the provisions of section four of said chapter two hundred and forty-eight, may be expended for the work authorized by section one of said chapter, as amended by this act, and the provisions of said section four applicable to said Centre street shall be available for the purposes of said section one, as so amended.

SECTION 3. Chapter two hundred and forty-eight of the acts of nineteen hundred and twenty-nine having been submitted to and accepted by the city council of the city of Boston, in accordance with the provisions of section five thereof, this act in amendment of said chapter two hundred and forty-eight shall take effect upon its passage and without being further submitted to the city council of said city.

Approved January 27, 1931.

1931.—CHAPTER 15.

AN ACT RELATIVE TO THE ACQUISITION BY EMINENT DOMAIN OR OTHERWISE BY THE CITY OF BOSTON OF LAND FOR PARKS AND OTHER OPEN SPACES.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter two hundred and ninety-three of the acts of eighteen hundred and ninety-two is hereby amended by striking out, in the fifth, sixth and seventh lines, the words "of a total assessed value not exceeding two thirds of the amount so authorized",—so as to read as follows:—*Section 3.* Whenever said city shall have authorized the city treasurer to issue bonds or certificates of indebtedness, as provided in the preceding sections, the street commissioners of said city, with the approval of the mayor, may take in fee, by purchase or otherwise, such lands as shall be determined by said city, and may agree with the persons owning such lands as to the damages to be paid by the city therefor, and said city, by such agency as it may determine, shall expend the balance of the proceeds of the bonds or certificates of indebtedness remaining after such lands have been paid for, in constructing or preparing such lands for use.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1931.

1931.—CHAPTER 16.

AN ACT RELATIVE TO CERTAIN FEES TO BE PAID UNDER THE ZONING LAW OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section nineteen of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by section eleven of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five and by section one of chapter three hundred and fifty of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the fifth line of the second paragraph, the word "ten" and inserting in place thereof the word:—fifteen,—so that said paragraph will read as follows:—

Any applicant for a permit under this act whose application has been refused may appeal therefrom within ninety days. Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of fifteen dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once a week.

SECTION 2. Section twenty of said chapter four hundred and eighty-eight, as amended by section twelve of said chapter two hundred and nineteen, by section two of said chapter three hundred and fifty and by section six of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the twenty-eighth line of the second paragraph, the word "ten" and inserting in place thereof the word:—twenty-five,—so that said paragraph will read as follows:—

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston. Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land. No such change shall be made except by the decision of not less than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston. Any petition for changing the zoning map shall be accompanied by a fee of twenty-five dollars before being considered by the board. Such fees shall be deposited by the board with the city collector within one month after receipt thereof. No member shall act in any case in which he is personally interested either directly or indirectly. A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map or confirming a decision of the board of appeal shall be deemed to comply with this section only if the written record of such decision is signed, in case of any change of boundaries as aforesaid, by not less than four fifths, or, in case of any confirmation of a decision of the board of appeal, by not less than two thirds, of the members of the board qualified to act. If less than a majority of the board is present at any public hearing or at any executive

session, the members actually present may adjourn the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

SECTION 3. This act shall take effect upon its passage.

Approved February 11, 1931.

1931.—CHAPTER 29.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriations for municipal purposes for year 1931 — \$16.00.)

1931.—CHAPTER 30.

AN ACT PROVIDING THAT THE CITY OF BOSTON MAY USE FOR OTHER MUNICIPAL PURPOSES CERTAIN LANDS AND INTERESTS THEREIN ACQUIRED BUT NOT NEEDED FOR THE CONSTRUCTION OF A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to use for the erection of a printing plant and police station, or either of them, any lands or easements therein in Boston proper acquired under the provisions of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, which shall, in the opinion of the transit department of the city of Boston, cease to be needed for the purposes of said chapter two hundred and ninety-seven; provided, that said city shall pay into the sinking fund provided for in section eight of said chapter two hundred and ninety-seven such sum of money as may be agreed upon between the transit department and the mayor of said city as the reasonable value of the land and easements so used, or such sum annually as may be agreed upon between said transit department and said mayor as a reasonable rental value for said land and easements.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1931.

Section 1, Amended 1932, ch. 23, s. 1.

1931.—CHAPTER 40.

AN ACT AUTHORIZING THE CITY OF BOSTON TO TRANSFER TO ITS PARK DEPARTMENT FOR PUBLIC PARK PURPOSES CERTAIN LAND ON PARKER HILL IN SAID CITY NOW HELD FOR HOSPITAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The land now owned by the city of Boston on Parker hill in the Roxbury district of said city, consisting of about five hundred and two thousand nine hundred and thirty-nine square feet, together with any buildings or structures thereon, taken by said city and now held for hospital purposes but no longer needed

for such purposes, shall hereafter be devoted to the purposes of a public park, and the board of park commissioners of said city shall have charge and control of said park to the same extent as if said land had been acquired under chapter forty-five of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter.

Approved February 17, 1931.

Accepted March 10, 1931.

See 1858, ch. 113; 1875, ch. 185.

1931.—CHAPTER 50.

AN ACT AUTHORIZING THE TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON TO TAKE AND HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Section two of chapter one hundred and fourteen of the acts of eighteen hundred and seventy-eight, as amended by chapter one hundred and sixteen of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out, in the third line, the word "ten" and inserting in place thereof the word:—twenty,—so as to read as follows:—*Section 2.* Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding twenty million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the public library of the city of Boston or any branch library, or any purpose connected therewith. Money received by it shall be invested by the treasurer of the city of Boston under the direction of said corporation; and all securities belonging to said corporation shall be placed in the custody of said treasurer: *provided, always,* that both the principal and income thereof shall be invested and appropriated according to the terms of the donation, devise or bequest.

Approved February 20, 1931.

See 1937 Adv. Sh. 1341, 1346.

1931.—CHAPTER 100.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO RECEIVE AND HOLD FOR CERTAIN ADDITIONAL PURPOSES REAL OR PERSONAL ESTATE GIVEN, GRANTED, BEQUEATHED OR DEVISED TO IT IN TRUST.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter fifty three of the acts of eighteen hundred and seventy-seven is hereby amended by striking out, in the fourth line, the word "money" and also by inserting after the word "assistance" in the ninth and tenth lines the following:—or for the purpose of purchasing books, pictures or other educational material for the various classes in such schools and clothing for any needy pupil or pupils attending any class in any school district or districts,—so as to read as follows:—*Section 2.* Said corporation shall have authority to receive and hold all sums

of money, and real and personal estate not exceeding in the aggregate the value of two hundred thousand dollars, which may be given, granted, bequeathed or devised to it for the benefit of the teachers in the public schools of the city of Boston, or their families, requiring charitable assistance, or for the benefit of any persons or the families of any persons who have formerly been such teachers, requiring charitable assistance, or for the purpose of purchasing books, pictures or other educational material for the various classes in such schools and clothing for any needy pupil or pupils attending any class in any school district or districts. It shall have power to manage and dispose of the same according to its best discretion and to execute any and all trusts according to the tenor thereof which may be created for the purposes aforesaid.

SECTION 2. The powers granted in this act shall be in addition to any powers granted in chapter two hundred and thirty-five of the acts of nineteen hundred, or in any act in amendment thereof or in addition thereto, and not in limitation thereof.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1931.

1931.—CHAPTER 101.

AN ACT TO PROVIDE FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. In the month of January in the year nineteen hundred and thirty-two, and in said month in each year thereafter, to and including the year nineteen hundred and thirty-six, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week for two weeks in succession, of not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

SECTION 2. The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and thirty-two to nineteen hundred and thirty-six, inclusive.

SECTION 3. This act, and chapter four hundred and fifty-four of the acts of eighteen hundred and ninety-four, chapter two hundred and forty-nine of the acts of eighteen hundred and ninety-eight, chapter three hundred and forty-seven of the acts of nineteen hundred and eight, chapter three hundred and sixty-four of the acts of nineteen hundred and eleven, chapter one hundred and ninety-six of the Special Acts of nineteen hundred and sixteen, chapter one hundred and ninety-six of the acts of nineteen hundred and twenty-one and chapter two hundred and forty of the acts of nine-

teen hundred and twenty-six shall not apply to trackless trolley or railway trolley, guard or span wires or to poles for the support of the same.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1931.

Section 1 Amended 1936, Ch. 110, s. 1.

Section 2 Amended 1936, Ch. 110, s. 2.

1931.—CHAPTER 111.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO EXPEND MONEY FOR ATHLETIC WEARING APPAREL AND CLOTHING AND FOR REPAIRING AND MAINTAINING THE SAME FOR USE BY PUPILS OF THE PUBLIC SCHOOLS OF SAID CITY AND FOR OTHER INCIDENTAL EXPENSES.

Repealed 1935, ch. 19.

1931.—CHAPTER 114.

AN ACT RELATIVE TO SECOND ASSISTANT ASSESSORS IN THE ASSESSING DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by inserting after section four the following new section:—*Section 4A.* The board of assessors may, subject to like approval, appoint and fix the compensation of, such second assistant assessors as the work of the department requires, not exceeding twenty-three in number. They shall, except as provided in section two, be subject to the civil service laws, rules and regulations, and their tenure of office shall be unlimited, except that any person so appointed may be removed in accordance with such laws, rules and regulations, and shall be subject to retirement, if eligible therefor, or removal, in accordance with the retirement laws applicable to employees of the city of Boston.

SECTION 2. All persons who on January first in the current year were employed in the assessing department of said city by said board of assessors, with the approval of the mayor, under the designation of second assistant assessors, shall be eligible for appointment under section one without civil service examination or certification.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise; but for the purposes of such acceptance, it shall take effect upon its passage.

Approved March 16, 1931.

Accepted March 24, 1931.

1931.—CHAPTER 116.

AN ACT RELATIVE TO THE WIDENING AND CONSTRUCTION OF L STREET IN THE SOUTH BOSTON DISTRICT OF THE CITY OF BOSTON.

See 1930, ch. 264.

1931.—CHAPTER 139.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT AND MAINTAIN A SEWER ON PRIVATE AND PUBLIC LAND IN THE TOWN OF DEDHAM.

1931.—CHAPTER 155.

AN ACT RELATIVE TO APPROPRIATIONS FOR THE PAYMENT OF PENSIONS TO MEMBERS OF THE TEACHING AND SUPERVISING STAFF OF THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.

(Amends 1919 (S) ch. 206, s. 1, clause "g".)

1931.—CHAPTER 169.

AN ACT AUTHORIZING THE REMOVAL OR ALTERATION OF CERTAIN STRUCTURES ON OR UNDER WASHINGTON STREET AT ADAMS SQUARE IN THE CITY OF BOSTON.

1931.—CHAPTER 179.

AN ACT RELATIVE TO THE IMPROVEMENT OF THE CHARLES RIVER BASIN FOR RECREATIONAL AND OTHER PURPOSES.

(Amends 1929, ch. 371.)

1931.—CHAPTER 180.

AN ACT RELATIVE TO SIDE YARD AND SET-BACK REQUIREMENTS UNDER THE BOSTON ZONING LAW SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by sections two and three of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven and by section four of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty, is hereby further amended by striking out the first sentence of the fourth paragraph, entitled "*Side Yards*", and inserting in place thereof the following:— There shall be a side yard on each side of every building in a single residence district and on each side of every building or pair of semi-detached buildings in a general residence district.

SECTION 2. Said section eleven, as so amended, is hereby further amended by striking out the sixth paragraph, entitled "*Set-back*", and inserting in place thereof the following:—

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within thirty feet of the center of any street or within ten feet of any street line, provided, that on a lot abutting on two or more streets, one of which is more than twenty-four feet wide and one twenty-four feet wide or less, no set-back is hereby required on the street or streets twenty-four feet wide or less; provided, further, that on a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs on such buildings; and provided,

further, that on a lot in a separate and distinct single or joint ownership of record at the time it is placed in a thirty-five foot district and less than one hundred feet deep, any set-back hereby established may be reduced one per cent for each foot that the depth of the lot is less than one hundred feet.

SECTION 3. Section twelve of said chapter four hundred and eighty-eight, as amended by section four of said chapter two hundred and twenty, is hereby further amended by striking out the sixth paragraph, entitled "*Set-back*", and inserting in place thereof the following:—

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within twenty-five feet of the center of any street or within ten feet of any street line, provided, that in a lot abutting upon two or more streets, one of which is more than twenty-four feet wide and one twenty-four feet wide or less, no set-back is hereby required on the street or streets twenty-four feet wide or less; provided, further, that on a lot between two buildings not more than sixty feet apart, the set-back need not exceed the greater of the set-backs of such buildings; and provided, further, that on a lot in a separate and distinct single or joint ownership of record at the time it is placed in a forty foot district and less than one hundred feet deep, any set-back hereby established may be reduced one per cent for each foot that the depth of the lot is less than one hundred feet.

SECTION 4. The fourth paragraph of section thirteen of said chapter four hundred and eighty-eight, entitled "*Set-back*", is hereby amended by striking out, in the third line, the word "fronting" and inserting in place thereof the word:— abutting.

SECTION 5. Section sixteen of said chapter four hundred and eighty-eight, as amended by section nine of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five, by section five of said chapter two hundred and twenty, by section one of chapter eighty-eight of the acts of nineteen hundred and twenty-nine and by section three of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty, is hereby further amended by adding at the end thereof the following new paragraph:—

(14) There shall be in front of every building not fronting on a street a yard not less in depth than the depth required for the rear yard of the same building.

SECTION 6. This act shall take effect upon its passage.

Approved April 7, 1931.

1931.—CHAPTER 200.

AN ACT RELATIVE TO THE ERECTION AND MAINTENANCE OF ONE AND TWO CAR GARAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section two of chapter five hundred and seventy-seven of the acts of nineteen hundred and thirteen is hereby amended by adding at the end thereof the following:— In the case of applications for permits to erect garages for the storage or keeping of not more than two cars, such notice shall be mailed as aforesaid not less than seven days prior to the hearing thereon and need be published

but once, such publication to be prior to said hearing,—so as to read as follows:—*Section 2.* The notice required by the preceding section shall include a copy of the application and an order of said board specifying the time and place of the public hearing, and shall be given by publication once in each week for three successive weeks in some one newspaper regularly published in said city, and by mailing by prepaid registered mail a copy to every owner of record of each parcel of land abutting on the parcel of land on which the building proposed to be erected for, or maintained as a garage is to be, or is situated, and the cost of such notice and proceedings shall be borne by the applicant. In the case of applications for permits to erect garages for the storage or keeping of not more than two cars, such notice shall be mailed as aforesaid not less than seven days prior to the hearing thereon and need be published but once, such publication to be prior to said hearing.

Approved April 15, 1931.

1931.—CHAPTER 225.

AN ACT RELATIVE TO THE BORROWING CAPACITY OF THE CITY OF BOSTON WITHIN THE STATUTORY LIMIT OF INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen is hereby amended in section five by striking out all after the word “repealed” in the fourth line so that said section as amended shall read as follows:—*Section 5.* Chapter four hundred and fifty of the acts of the year nineteen hundred and seven, and section four of chapter three hundred and thirty-one of the acts of the year nineteen hundred and fourteen are hereby repealed.

SECTION 2. The commissioners of sinking funds of the city of Boston, together with the treasurer and auditor of said city, are hereby authorized to certify to the city council their estimate of any additional amount, beyond the amount already certified as herein provided, which said city will be able to borrow during the year nineteen hundred and thirty-one within the debt limit established by section ten of chapter forty-four of the General Laws which governs the establishment of such limit in said city; and said city is hereby authorized to borrow such additional amount, or any portion thereof, at any time or times during said year.

SECTION 3. This act shall take effect upon its passage.

Approved April 21, 1931.

1931.—CHAPTER 229.

AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LAND IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON FROM THE SCHOOL DEPARTMENT TO THE PARK DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the city of Boston is hereby authorized to transfer to the board of park commissioners of said city, control and charge of a certain parcel of land or such portion thereof as is determined by the school committee and park

commissioners in the vicinity of Dunbar avenue in the Dorchester district of said city, originally acquired by said city of Boston, for school and other purposes in connection with the Dorchester high school for boys; and said board of park commissioners shall assume control of the said land for the purpose of developing and maintaining a public park and recreation center in accordance with the terms of chapter forty-five of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston by vote of the city council subject to the provisions of its charter and to vote of the school committee of the city of Boston.

Approved April 21, 1931.

Accepted April 30, 1931.

Accepted by School Committee May 6, 1931.

See 1875, ch. 185; 1905, ch. 349.

1931.—CHAPTER 247.

AN ACT AUTHORIZING THE BORROWING OF MONEY BY THE CITY OF BOSTON FOR HIGH SCHOOL CONSTRUCTION AND CERTAIN OTHER PURPOSES.

(City of Boston High School Loan Act of 1931.)

1931.—CHAPTER 249.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE RECONSTRUCTION OF STREETS.

(Boston Street Loan, Act of 1931.)

Accepted May 5, 1931.

1931.—CHAPTER 250.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended in section ten by section two of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by section one of chapter sixty of the acts of nineteen hundred and twenty-one and by section five of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section ten and inserting in place thereof the following:—*Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays or wharves, nor to buildings belonging to and occupied by the United States, or the commonwealth, nor to railroad stations used exclusively for railroad purposes, nor to voting booths erected and maintained by the board of election commissioners.

Except as otherwise provided by law, the provisions of this act shall not be held to deprive the board of health, the police commissioner, the board of street commissioners, the board of exam-

iners of gas fitters, the commissioner of wires or the fire commissioner of the city of Boston, of any power or authority, except as to the construction of buildings, which they have at the date of the passage of this act or of the remedies for the enforcement of the orders of said boards or officers, unless such powers, authorities or remedies are inconsistent with the provisions of this act; nor to repeal any existing law not herein expressly repealed, except so far as it may be inconsistent with the provisions of this act.

SECTION 2. Section five of said chapter five hundred and fifty, as amended by section two of chapter two hundred and five of the acts of nineteen hundred and fourteen, by section two of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen, by section one of chapter ninety-one of the acts of nineteen hundred and twenty, and by section three of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the second paragraph and inserting in place thereof the following:—

Before beginning the removal of any building or other structure, the building commissioner shall give notice, by mail, to the owner of his right to the material, upon request, if he is known and can be found; otherwise by posting an attested copy of such notice in a conspicuous place upon the external walls of such building. If the owner claims the material, he shall at once so notify the commissioner in writing and shall remove the same within ten days after the building or structure is taken down, and if he fails to do so the building commissioner may dispose of the material.

SECTION 3. This act shall take effect upon its passage.

Approved April 29, 1931.

1931.—CHAPTER 271.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR AIRPORT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving, extending and developing the Boston airport, so-called, in the East Boston district of the city of Boston, said city is hereby authorized to borrow, outside the statutory limit of indebtedness, from time to time within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Boston Airport Improvement Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

SECTION 2. Work provided for hereby may be done by day labor, and in the employment thereof the provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder shall not apply.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 30, 1931.

Accepted June 12, 1931.

Section 1, Amended 1937, ch. 160, s. 1.

See 1926, ch. 385; 1937, ch. 160.

1931.—CHAPTER 294.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING ON FRANKLIN FIELD IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

(Franklin Field Municipal Building Loan, Act of 1931.)

Accepted June 27, 1931.

1931. — CHAPTER 295.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING IN THE FIELDS CORNER SECTION OF THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

(Dorchester Municipal Building Loan, Act of 1931.)

Accepted June 27, 1931.

1931. — CHAPTER 297.

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF BOSTON, WITH THE APPROVAL OF THE MAYOR, TO FIX FEES FOR CERTAIN LICENSES AND PERMITS, AND TO ESTABLISH AND FIX FEES FOR THE QUALIFICATION OR WARRANT OF CERTAIN OFFICES.

Be it enacted, etc., as follows:

SECTION 1. In the city of Boston the city council, with the approval of the mayor, shall have the power to fix the fees for licenses or permits for which a fee is collected at the date of the passage of this act under authority of statutes then existing in all cases where the entire proceeds of such fees form part of the income of the city, but excepting fees for marriage licenses or for licenses granted by the mayor under chapter four hundred and ninety-four of the acts of nineteen hundred and eight and its amendments and additions. Until action is taken under this act in respect to any fee subject to its provisions, the same shall remain as established on said date.

SECTION 2. The city council of said city, with like approval, may establish and fix fees to be paid to the city clerk for the use of said city for the qualification or warrant of any officer, appointed by the mayor and confirmed by the city council, whose compensation is derived from fees charged for the exercise of powers conferred by such appointment.

SECTION 3. All provisions of law, in so far as inconsistent with the provisions of this act or with any action authorized hereunder, shall not apply in the city of Boston.

SECTION 4. This act shall take effect upon its passage.

Approved May 12, 1931.

1931.—CHAPTER 333.

AN ACT REVISING AND EXTENDING THE TERM OF THE LEASE TO THE COMMONWEALTH OF THE PROPERTIES OF THE BOSTON ELEVATED RAILWAY COMPANY AND CONTINUING PUBLIC MANAGEMENT AND OPERATION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Public management and operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, as heretofore and hereby amended, shall continue until July first, nineteen hundred and fifty-nine, and thereafter, unless terminated on said date or thereafter, in the manner provided in section twelve of said chapter one hundred and fifty-nine.

SECTION 2. Dividends payable upon the common stock of the Boston Elevated Railway Company, hereinafter called the company, and included in the cost of the service under said chapter shall be reduced from six per cent to five per cent upon the par value thereof from the time this act takes effect so long as public management and operation continues.

SECTION 3. If at any time while public management and operation continues a deficit shall occur of which notice is given to the treasurer and receiver general of the commonwealth under section eleven of said chapter one hundred and fifty-nine, the trustees of the Boston Elevated Railway Company, hereinafter called the trustees of the company, shall at the same time give like notice to the trustees of the metropolitan transit district created by chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine who shall forthwith call a meeting of the metropolitan transit council created by said chapter three hundred and eighty-three to consider whether or not the fares and charges for service shall be increased. If said council so determines, the trustees of the company shall within sixty days after receipt of written notice of such determination put into effect such higher rates of fare and charges for all or any services furnished or operated as in their judgment will be sufficient, or best adapted, to prevent thereafter a further deficit to be assessed upon the cities and towns in which service is operated. The trustees of the company shall also notify the department of public utilities whenever such a deficit shall occur. Upon receipt of such notice said department shall carry on such investigation as it may deem advisable of the operations and the expenses of the company, and shall make a report to the governor and the members of the metropolitan transit council in writing of its findings, together with any recommendations, whereby future deficits may be avoided or reduced, and the service improved. Such reports whenever made shall be made public. From the time this act takes effect so long as public management and operation continues, the operation of section ten of said chapter one hundred and fifty-nine, as amended, shall be suspended.

SECTION 3A. The acceptance of this act by the company shall constitute an agreement upon its part that, upon execution

and delivery to it prior to January first, nineteen hundred and thirty-four, by the transit department of the city of Boston acting under the authority hereinafter given, of a contract between the city of Boston and the company extending the terms of all existing leases and/or contracts between said company and the city of Boston for the use of all subways, tunnels, stations, rapid transit facilities, and alterations, extensions, appurtenances, and equipment thereof and connections therewith now existing or under construction, for a term extending to the first day of July, nineteen hundred and sixty-two, and thereafter unless and until terminated on the first day of July, nineteen hundred and sixty-two, or the first day of July in any year thereafter by prior notice in writing given as provided in the respective leases and/or contracts for use, or extensions thereof, under the existing rentals as contained in said leases and/or contracts for use as heretofore extended and on the same terms and conditions contained in said leases and/or contracts for use or extensions thereof at present in force, all such leases and/or contracts for use and extensions thereof shall thereby be extended as aforesaid and the company shall be bound thereby as fully as though such contract were executed and delivered by it. The transit department of the city of Boston, acting in the name and on behalf of the city of Boston, is hereby authorized to extend the term of all said leases and/or contracts for use and extensions thereof and to execute and to deliver to the company a contract therefore, as hereinbefore provided. This section shall not take effect unless accepted on or before July first, nineteen hundred and thirty-three, by vote of the city council of the city of Boston, subject to the provisions of its charter, and, in the determination of any question as to constitutionality, shall be deemed to be separable from the remaining provisions of this act.

SECTION 4. At any time and from time to time after this act takes effect, the trustees of the company shall have authority, in the name and on behalf of the company, and without further authorization than herein contained, in addition to the bonds, coupon notes or other evidences of indebtedness payable at periods of more than one year after the date thereof which the company may otherwise lawfully issue, to issue bonds of the company to an amount not exceeding thirty million dollars. The proceeds of such bonds shall be used for the retirement of the existing preferred stocks of the company as provided in this act including the payment of all amounts found due under section fourteen and for damages paid or recovered under section twelve and not otherwise. Said bonds shall bear interest at the rate of six per cent per annum, and shall be for the term of forty years.

The payment of interest as it accrues on said bonds shall be deemed part of the cost of the service as defined in section six of said chapter one hundred and fifty-nine.

Said bonds, both as to principal and income, are hereby made exempt from all taxes levied under authority of the commonwealth and shall contain a recital to such effect.

Said bonds shall be subject to the priority of bonds, coupon notes or other evidences of indebtedness issued for the purposes

and under the authority specified in section eighteen and shall be sold only to the metropolitan transit district, which shall retain the same in its treasury until surrendered for cancellation as provided in section seven.

SECTION 5. The trustees of the metropolitan transit district in the name and on behalf of said district shall from time to time upon and in accordance with the request of the trustees of the company purchase the bonds issued under authority of the preceding section at the face value thereof, and shall procure the funds necessary therefor by the issue of notes and bonds of the district under and in the manner provided in section ten of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine, and the provisions of said section shall apply thereto in the same manner and to the same extent as if such notes and bonds were specifically authorized in said chapter. Said bonds may be issued on either the sinking fund or serial payment plan, and if issued on the serial plan, the trustees of said district shall endeavor so to arrange the maturities thereof that the bonds maturing each year will be met by the amounts available from interest upon the bonds purchased and from the special compensation tax to be paid by the company as provided in the following section. All amounts received by the district from said interest and special compensation tax shall be applied in payment of interest and principal of the notes and bonds issued under this section as and when due and any balance shall be accumulated in a sinking fund to be used for such purpose. Said fund may be invested by the trustees of the district in any bonds or coupon notes of the company or in other securities which are legal investments for savings banks in this commonwealth and all income accruing therefrom shall be added to the fund.

SECTION 6. The company shall annually on the first day of February pay to the metropolitan transit district, for the benefits conferred by this act, a special compensation tax of an amount which, when added to the interest payable to the said district during the preceding calendar year upon the bonds of the company acquired under section five, shall be sufficient to pay all interest upon the notes and bonds of the district issued to provide funds for such acquisition and payable during said preceding calendar year increased by an amount which shall be computed at the rate of two per cent per annum on the amount of bonds of the company held by the district for the time while held during said year.

SECTION 7. Upon the retirement of all bonds and notes of the district issued under the provisions of section five including all notes or bonds issued to refund the same, or upon the accumulation of a sinking fund sufficient to pay the same with interest to maturity, the district shall surrender to the company for cancellation the bonds of the company purchased under said section and receive in exchange therefor a "certificate of indebtedness" of the company in the total amount of the par value of all bonds of the company surrendered to the company by the district under the provisions of this section. Said "certificate of indebtedness" shall not be entitled

to receive interest and shall be payable only in liquidation or in the event of a sale of substantially all the assets and franchises of the company and, in liquidation, only after payment of all other indebtedness of the company.

SECTION 8. The company shall, within sixty days after the passage of this act hold a stockholders' meeting especially called for the purpose of determining whether or not the company will accept this act. If this act is accepted at said meeting, or at any adjournment thereof within ninety days after its passage, by vote of the holders of not less than a majority in amount of the entire capital stock then outstanding, as well as of the holders of not less than a majority in amount of all the classes of preferred stocks combined then outstanding, a certificate evidencing such acceptance shall forthwith be filed by the clerk of the company with the state secretary and as speedily as possible thereafter the clerk of the company shall file with the state secretary a further certificate containing a list of all stockholders who voted in favor of such acceptance either in person or by proxy and as to each the number of shares of each class of stock so voted. Such certificates or duly certified copies thereof shall be admissible as evidence of the facts so certified.

A vote to accept this act cast by any holder of any share or shares of any of the classes of stocks of the company either common or preferred, whether cast in person or by proxy, shall constitute an assent and agreement on the part of such stockholder to surrender for cancellation at the prices and on the terms and conditions stated in section nine all the preferred stock of all classes held by him or registered in his name on the books of the company and to accept all the provisions of this act. Such a stockholder shall be known as an "assenting stockholder". Such assent shall bind all assignees and all subsequent owners and transferees of such stock, any provisions of general or special laws to the contrary notwithstanding. The filing of said certificate of acceptance shall constitute a taking by eminent domain by the company of the preferred stock of all classes not owned by "assenting stockholders".

SECTION 9. Dividends upon all classes of preferred stocks of the company shall cease when this act takes effect, and all "assenting stockholders" shall be entitled on or after such date not more than seven months thereafter as may be fixed by the trustees of the company to present their certificates of such stock to the treasurer of the company, or to such bank or trust company as may be designated by the said trustees, for the purpose of surrender and cancellation and shall be respectively entitled to receive payment for their said stock, duly endorsed to the company, on the following basis: for each share of first preferred stock, one hundred and ten dollars; for each share of second preferred stock, one hundred and two dollars; for each share of the preferred stock, one hundred dollars, together with the accrued dividends at the rate fixed for each of said classes from the last dividend date thereof to and including the day on which this act takes effect and with interest at the rate of five

per cent per annum from the date dividends cease as hereinbefore provided to the date so fixed for presentation.

Owners of preferred stock of all classes, which shall not be stamped "non-assenting" as provided in section ten, shall be entitled to surrender their said stocks on the basis hereinabove provided.

Any owner of common or preferred stock of the West End Street Railway Company whose stock has not been exchanged under the provisions of chapter seven hundred and forty of the acts of nineteen hundred and eleven may surrender the same duly endorsed to the company and receive in payment therefor the amount in cash to which he would have been entitled if such exchange had been made.

Such provision for cases of stock certificates lost or destroyed may be made as the trustees of the company shall determine.

The trustees of the company shall permit preferred stockholders of any class, who fail to take any action necessary to preserve their rights under this act, to surrender their stocks for cancellation on the basis of valuation set forth above or such lower valuation as the trustees shall determine to be equitable or just.

SECTION 10. Any holder or owner of shares of any of the preferred stocks of the company who did not vote, either in person or by proxy, any stock of any class either common or preferred in favor of the acceptance of this act may, within a limit of six months after this act takes effect, file with the clerk of the company or with the bank or trust company appointed by the company as the transfer agent of the class or classes of stock held by him, a writing addressed to the company declaring his opposition to the acceptance of this act and stating the number of shares held by him and the number or numbers of the certificates evidencing the same, and shall at the same time present to said clerk of said bank or trust company the certificate or certificates of stock evidencing such shares to be stamped with the word "non-assenting" and the holder of any such preferred shares of any class so stamped shall not be entitled, except as provided in the last paragraph of the preceding section, to surrender the same for cancellation, under the provisions of said section.

SECTION 11. The holder or owner of any shares of any preferred stocks of the company who does not within said limit of six months cause the certificates evidencing the same to be stamped "non-assenting" as provided in the preceding section shall, at the expiration of said six months' period, be deemed to be an "assenting" stockholder and all certificates not so stamped within said period shall be surrendered in the same manner and on the same basis as provided in section nine.

SECTION 12. A person who is subjected to loss by reason of complying with the requirements of section ten in presenting his stock certificates for stamping shall be entitled to recover indemnity therefor under chapter seventy-nine of the General Laws provided that proceedings therefor shall be brought only in the superior court and only within ten months from the date this act takes effect.

SECTION 13. Any person accepting a certificate or certificates of any stock of the company issued after the date this act takes effect which is not stamped "non-assenting" shall be deemed to be an "assenting" stockholder and to have accepted and assented to all the provisions of this act.

SECTION 14. Any stockholder of the company who owns any share or shares of any class of its preferred stocks, the certificates evidencing which are duly and properly stamped "non-assenting" as hereinbefore provided may, not later than six months after the limiting date for such stamping as set in section ten request that his said shares of any class of preferred stocks be valued in the manner following: The stockholder may file a petition in the supreme judicial court within and for the county of Suffolk, setting forth the material facts and asking that the value of his said shares be determined. Thereupon, and upon such notice to all parties concerned as it may deem proper, the court shall pass an order requiring the certificate or certificates evidencing such shares, duly endorsed, to be deposited with the clerk of the court, and shall appoint three commissioners to ascertain and report the value of the shares.

In order to avoid multiplicity of trials of the same issues or for any other reason in its discretion the court may postpone the appointment of commissioners or order for trial by jury as herein-after provided, until the period of limitation for filing petitions hereunder has expired.

The report shall be made to the court as soon as is practicable, and, after due notice to the parties in interest, shall be confirmed by the court unless some error of law be made to appear upon the face of the report, in which event it shall be recommitted to the commissioners with such order as the court may make. If a trial by jury is claimed by either party within twenty days of the filing of the petition the court shall upon final confirmation of the commissioners' report order the question of the value of the shares as to which trial by jury is claimed to be tried and determined by a jury in the superior court in the same manner in which other civil cases are tried in that court. The commissioners' report shall be admitted in evidence with like force and effect as an auditor's report in an action at law.

The company shall be liable for and shall pay all sums found due and payable to all holders of shares in the proceedings aforesaid, including interest at the rate of four per cent per annum from the date this act takes effect which shall be deemed to be the date of taking of said stock by the company by eminent domain, and such costs as the court may order, and if the court determines that justice so requires shall likewise furnish such security for the said payment as the court may order. For the purposes of this section the value of the shares shall neither be increased nor diminished by reason of the provisions of this act or the extension of the lease of the properties of the company to the commonwealth hereunder or the extension authorized by section three A.

Upon payment, or tender or deposit with the clerk of the court of the value of said shares fixed as aforesaid, such "non-

assenting" shares and the certificate or certificates thereof shall be delivered to the company whose right and title to receive the same and to hold possession thereof may be enforced by the court by any appropriate process, and the company shall upon receipt of such certificates cancel the same.

Exceptions may be taken to any ruling or order of said court, to be heard and determined as in other civil cases. The court may make all such orders for the enforcement of the rights of any party to the proceedings, for consolidation of two or more petitions and their reference to the same commissioners, for the consolidation of claims for a trial by jury and framing of issues therefor, for deposit of money in court, and for the payment of interest upon the value of the stockholders' shares as determined and the payment of costs by one party to the other, as justice may require. The attorney general, in behalf of the commonwealth shall be made a party to such proceedings and shall appear and be heard therein.

Any stockholder of the company who owns any shares of any class of its preferred stocks the certificates evidencing which are stamped "non-assenting", who does not within the period of limitation hereinbefore provided file an original or intervening petition requesting that his shares be valued, shall not thereafter have the right to have them valued, but shall be entitled to surrender the same as provided in section nine.

SECTION 15. The trustees of the company in the name and on behalf of the company shall within thirty days after this act takes effect, give notice of that fact to all registered holders of preferred stock of each class, enclosing therewith a copy of this act and calling their attention especially to the provisions of sections nine to fourteen, inclusive.

SECTION 16. All notices to stockholders required by this act, or by chapter seventy-nine of the General Laws for the purposes of this act, shall be given by registered mail addressed to each stockholder as his address appears upon the records of the company, and by publication in each of two daily newspapers published in the city of Boston, once each week, for three successive weeks, but the taking or retirement of any stock of any class shall not be invalidated, nor shall the time within which stock may be presented to be stamped "non-assenting" nor the time within which any petitions for damages may be filed be extended by reason of any defect therein nor by failure to give or receive such notice.

SECTION 17. The acceptance of this act by the company shall constitute an agreement upon its part that in no event after termination of public management and operation shall dividends in excess of six per cent per annum be declared or paid upon its common stock.

Such acceptance shall also constitute an agreement by the company to sell to the commonwealth or any political subdivision thereof or any corporation specifically authorized by the commonwealth to purchase the same, at any time during the period of public management and operation, its whole assets, property and franchises as a going concern upon the assumption

by the commonwealth or such political subdivision of all its outstanding indebtedness and liabilities, and the payment of an amount in cash equal to any amount paid in in cash for stock hereafter issued and also an amount in cash equal to one hundred and five dollars per share for all common stock at present issued and then still outstanding decrease by one half of any sums hereafter assessed under the provisions of said chapter one hundred and fifty-nine or of this act upon cities and towns served by the company which have not then been repaid to the commonwealth provided however that such decrease shall not reduce the amount payable on account of said common stock below the amount of eighty-five dollars per share. A sale by the company under the foregoing option shall work a dissolution of the company subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws.

Such acceptance shall also constitute an agreement by the company that none of the provisions of this act shall preclude the commonwealth or any political subdivision thereof from taking the property and franchises of the company at any time through the exercise of the power of eminent domain and that in the event of such a taking the compensation to be paid to the company shall not be enhanced or diminished by reason of the passage of this act or of any amendments thereof.

Such acceptance shall also constitute a contract between the company and the commonwealth, binding upon the company, by which it agrees that after termination of public management and operation, it shall be subject to and bound by such regulation and determination of service to be furnished or operated and such regulation and fixing of rates and charges for service as the general court or the department of public utilities or any other board or commission to which such powers may be delegated by the general court shall thereafter prescribe, provided that such powers shall not be exercised so as to reduce the income of the company below an amount necessary to enable it to earn and pay dividends of six per cent per annum upon the par value of its common stock in addition to the dividend requirements for any preferred or special stock hereafter issued in accordance with law.

SECTION 18. Notwithstanding anything contained in general or special laws, the company, subject to the approval of the department of public utilities, may issue and reissue bonds, coupon notes or other evidences of indebtedness payable at periods of more than one year from the date thereof for the purposes of paying or refunding any such bonds, coupon notes, or other evidences of indebtedness outstanding when this act takes effect; and subject to the approval of the department of public utilities may issue additional bonds, coupon notes or other evidences of indebtedness, payable at periods of more than one year after the date thereof, to an amount equal to the cash paid in upon additional stock issued after this act takes effect. Bonds, coupon notes or other evidences of indebtedness issued under authority conferred by this section shall be entitled to priority in payment both as to principal and interest over bonds issued under the authority of sec-

tion four and shall not be subject to the limitations contained in section twenty-nine of chapter one hundred and sixty-one of the General Laws.

SECTION 19. None of the provisions of this act or of said chapter one hundred and fifty-nine shall be construed to constitute a contract binding upon the commonwealth other than (a) the provisions of section one of this act which define the term of public management and operation herein and therein provided for, (b) the provisions which define the terms and conditions under which during said term of public management and operation the property owned, leased or operated by the company shall be managed and operated by the trustees of the company, (c) the provisions of sections four and eighteen of this act providing priorities of certain bonds, coupon notes or other evidences of indebtedness of the company and (d) the provisions of section thirteen of said chapter one hundred and fifty-nine, which provisions shall constitute a contract binding upon the commonwealth.

SECTION 20. This act shall be regarded as amendatory of said chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and this act and said chapter shall, for purposes of interpretation and construction, be treated as one act.

SECTION 21. The trustees of the company in the name and behalf of the company may take by right of eminent domain under chapter seventy-nine of the General Laws any stock of the West End Street Railway Company still outstanding not exceeding in all a total par value of ten thousand dollars.

SECTION 22. Until the period of ninety days within which this act must be accepted as provided in section eight has expired, the operation of sections ten and eleven of said chapter one hundred and fifty-nine which authorize an increase in fares and payment of deficits by the commonwealth shall be suspended and no such payment shall be required in the current year. This section shall take effect upon its acceptance by vote of the board of directors of the company.

SECTION 23. When all the second preferred stock of the company has been retired, the special trust fund established under the provisions of section nine of chapter seven hundred and forty of the acts of nineteen hundred and eleven shall, to the extent necessary therefor, be converted by the trustees of the company into cash and the same shall thereupon be applied to repay to the commonwealth all amounts which, prior to the effective date of this act, have been assessed under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen upon the cities and towns served by the company and which have not been previously repaid to the commonwealth, and the treasurer and receiver general of the commonwealth shall thereupon distribute the same to such cities and towns as provided in said chapter. Any balance remaining in said fund shall be applied as provided in said chapter seven hundred and forty.

SECTION 24. Section eight of this act shall take effect upon its passage, and section twenty-two thereof shall take effect upon acceptance as provided therein. The remaining provisions of this act shall not take effect unless said section twenty-two is accepted as therein provided before June thirtieth, nineteen hundred and

thirty-one nor unless this act is accepted and certificate filed as provided in section eight, but shall take effect upon such filing provided that said section twenty-two is accepted as aforesaid before said June thirtieth and provided that section three A shall not take effect as to the city of Boston unless accepted as therein provided.

Approved May 19, 1931.

Accepted by the Company May 29, 1931.

Accepted by the City Council Nov. 9, 1931.

Approved by Mayor, Nov. 10, 1931.

Section 3, 1936 Adv. Sh., 1, 9; 1936 Adv. Sh., 1, 6.

1931.—CHAPTER 335.

AN ACT AUTHORIZING THE TOWN OF DEDHAM TO CONSTRUCT AND MAINTAIN A SEWER ON PUBLIC LAND IN THE CITY OF BOSTON.

1931.—CHAPTER 347.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE ERECTION OF A MUNICIPAL BUILDING IN THE CHARLESTOWN DISTRICT OF SAID CITY.

(Charlestown Municipal Building Loan, Act of 1931. Increases tax limit.)

Accepted June 27, 1931.

1931.—CHAPTER 362.

AN ACT PROVIDING FOR THE BUILDING OF SIDEWALKS AND UNDER-PASSES IN CONNECTION WITH THE CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF CHARLES AND CAMBRIDGE STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Chapter four hundred and forty-four of the acts of nineteen hundred and twenty-four is hereby amended by adding at the end thereof the following new section:—*Section 7.* Upon certification by the commission that in its opinion the amount certified has been properly expended by the city of Boston for the construction of sidewalks upon the central portion of the traffic circle under construction at the intersection of Charles street and Cambridge street in the city of Boston upon which the entrance to said station will be located, and for the construction of underpasses whereby pedestrians may cross beneath the roadways around the same, the state treasurer shall pay to said city the sums from time to time so certified from the proceeds of bonds issued under the preceding section to an amount not exceeding in all fifty thousand dollars. Any sidewalks and underpasses so constructed shall not in any way be deemed to be a part of said station nor shall the company be responsible in any way at any time for the cleaning, repair, maintenance, policing, upkeep or condition thereof, or otherwise in reference thereto.

Approved May 26, 1931.

1931.—CHAPTER 384.

AN ACT TO PROVIDE ADDITIONAL COURT HOUSE ACCOMMODATIONS AND FACILITIES FOR THE COURTS AND OTHER OFFICIALS IN THE COUNTY OF SUFFOLK.

Not accepted.

1931.—CHAPTER 399.

AN ACT RELATIVE TO SIGHT-SEEING AUTOMOBILES CARRYING PERSONS IN OR FROM THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The term "sight-seeing automobile", as used in this act, shall mean an automobile, as defined in section one of chapter ninety of the General Laws, used for the carrying for a consideration of persons for sight-seeing purposes in or from the city of Boston and in or on which automobile guide service by the driver or other person is offered or furnished.

SECTION 2. It shall be unlawful for a person or a corporation to offer or furnish service by a sight-seeing automobile in or from the city of Boston unless said automobile is licensed hereunder and unless a certificate of public convenience and necessity is obtained as hereinafter provided, and it shall be unlawful for a person to operate such an automobile as driver in or from said city unless he is licensed so to do as hereinafter provided.

SECTION 3. The police commissioner for the city of Boston shall have exclusive authority to license in said city sight-seeing automobiles and the persons operating them as drivers, and to designate places in the public streets which may be occupied as stands for sight-seeing automobiles of specified licensees on the days and within the hours authorized by him and subject to all reasonable rules relative to such stands which the said commissioner, who is hereby authorized thereto, shall from time to time establish. Such licenses shall be granted for a term not exceeding one year, but whenever granted they shall expire annually on the first day of March; and they may at any time be revoked or suspended for cause by said commissioner. At any time within a year after the expiration of a license for a sight-seeing automobile, said commissioner shall, upon payment to him of the fee required hereby, issue to the holder of such license a new license for said automobile or for one to be used in replacement thereof unless such expired license was suspended or revoked for cause; and at any time within a year after the expiration of a license for such a driver the commissioner may renew the same. The fees for operators' licenses issued hereunder shall be the same as those established from time to time for licenses granted to drivers of hackney carriages. The fees for licenses of owners of sight-seeing automobiles shall be not less than those established from time to time for licenses granted to the owners of hackney carriages; provided that said fees shall not exceed the following sums: For a sight-seeing automobile designed to carry not more than twelve persons, ten dollars; for a sight-seeing automobile designed to carry more than twelve but not more than eighteen persons, fifteen dollars; for a sight-seeing automobile designed to carry more than eighteen but not more than twenty-four persons, twenty-five dollars; and for a sight-seeing automobile designed to carry more than twenty-four persons, fifty dollars. Nothing herein contained shall be deemed to be contrary to the provisions of chapter ninety of the General Laws and acts supplementary thereto or in amendment thereof.

SECTION 4. In their use of public streets in the city of Boston, otherwise than for designated stands, sight-seeing auto-

mobiles and persons operating them as drivers shall be subject to all rules applicable to motor vehicles in general which, in accordance with law, have been made or shall hereafter be made by the board of street commissioners of the city of Boston, by the Boston traffic commission and by the board of park commissioners of said city, and to all rules further restricting the use of said public streets by sight-seeing automobiles or regulating their general conduct and operation which the said police commissioner, who is hereby authorized thereto, shall from time to time establish.

SECTION 5. No person or corporation shall offer or furnish service by sight-seeing automobiles in or from the city of Boston unless said person or corporation has first obtained from the department of public utilities a certificate declaring that public convenience and necessity require such operation. Said department may, after public hearing, issue or refuse to issue such a certificate and may attach to the exercise of the privilege conferred by said certificate such terms and conditions as to operation and fares as the said department may deem that public convenience and necessity require. Said department may, after notice and hearing, suspend or revoke any such certificate for cause or alter or amend any terms or conditions attached to the exercise of the privilege conferred thereby. Said department may make suitable and reasonable rules, orders and regulations governing the operation and fares of sight-seeing automobiles carrying persons in or from the city of Boston, and may revise, alter, amend and annul the same; provided, that such rules, orders and regulations shall not be inconsistent with those lawfully established by the board of street commissioners of the city of Boston, by the Boston traffic commission, by the board of park commissioners of said city, or by said police commissioner.

SECTION 6. Whoever offers or furnishes service by sight-seeing automobiles in or from the city of Boston without obtaining a license and a certificate of public convenience and necessity, as herein provided, or after the expiration or revocation or during any suspension of such a license or certificate, or whoever while holding such a license and certificate offers or furnishes service by sight-seeing automobiles in violation of any rule, order or regulation made by said commissioner or the department of public utilities under the authority of this act, or in violation of any term or condition attached to the exercise of the privilege conferred by such certificate, shall be punished by a fine of not more than fifty dollars or by imprisonment in the house of correction for not more than one month, or both; and the supreme judicial and superior courts shall have jurisdiction in equity to restrain any such violation, upon petition of said commissioner, the department of public utilities or any interested party. Any person operating any sight-seeing automobile as a driver without the license required by section two, or in violation of any rule, order or regulation made by said commissioner or said department, shall be punished by a fine of not more than twenty-five dollars.

SECTION 7. All holders of licenses under chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen authorizing the setting up of sight-seeing automobiles for the year ending February twenty-eight, nineteen hundred and thirty-one, which were in effect on said February twenty-

eight shall be entitled to renew the same under said chapter five hundred and ninety-two, and all such holders who have renewed or shall renew their said licenses as aforesaid shall be entitled to offer or furnish service by sight-seeing automobiles until and including February twenty-ninth, nineteen hundred and thirty-two, if and so long as such holders comply with the provisions of said chapter five hundred and ninety-two as heretofore in effect, and each such holder so renewing shall be considered by the department of public utilities, acting under the provisions of this act, as prima facie entitled to a certificate of public convenience and necessity if application therefor is made prior to March first, nineteen hundred and thirty-two.

SECTION 8. Chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen is hereby repealed; provided, that so much thereof as may be necessary for the purposes of section seven shall remain in effect until such purposes are accomplished.

SECTION 9. This act shall take effect upon its passage.

Approved June 9, 1931.

Section 1, 282 Mass. 345, 347.

Section 2, Amended 1933, ch. 93, s. 1; 282 Mass. 345, 347.

Section 3, 282 Mass. 345, 347.

Section 5, Amended 1933, ch. 93, s. 2; 282 Mass. 345, 349.

See 1870, ch. 337; 1875, ch. 185; 1906, ch. 291; 1929, ch. 263.

282 Mass. 345, 347, 349; 282 Mass. 429, 430, 433, 437.

1931.— CHAPTER 408.

AN ACT TO REVISE AND CODIFY THE LAWS RELATING TO THE TRANSPORTATION OF PASSENGERS FOR HIRE BY MOTOR VEHICLES.

Be it enacted, etc., as follows:

* * * * *

SECTION 7. Section two of chapter three hundred and ninety-two of the acts of nineteen hundred and thirty is hereby amended by striking out, in the seventh and eighth lines, the words "section forty-five of chapter one hundred and fifty-nine" and inserting in place thereof the following:—chapter one hundred and fifty-nine A,— so as to read as follows:—*Section 2.* Each vehicle used or designed to be used for the conveyance of persons for hire from place to place within the city of Boston, except a street or elevated railway car or a trackless trolley vehicle, within the meaning of section two of chapter one hundred and sixty-three of the General Laws, or a motor vehicle, known as a jitney, operated in the manner and for the purposes set forth in chapter one hundred and fifty-nine A of the General Laws, or a sight-seeing automobile licensed under chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen, shall be deemed to be a hackney carriage within the meaning of sections two to nine, inclusive, of this act; and in said sections, unless the context otherwise expressly requires, the words "drive" and "driver" shall be respectively deemed to include "operate" and "operator", a special hackney stand shall be one for the exclusive use, for hackney carriage purposes, of the licensee thereof, a private hackney stand shall be one established only upon private property, and a public hackney stand shall be one for the common use, for hackney carriage purposes, of all licensees under section four except those licensed to use special hackney stands.

SECTION 8. This act shall take effect on the first day of September, nineteen hundred and thirty-one. *Approved June 9, 1931.*

1931.—CHAPTER 422.

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE CITY OF BOSTON OF A STRANDWAY ALONG THE WATERFRONT IN THE EAST BOSTON DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Boston may, with the approval of the mayor of said city, lay out and construct or order constructed a parkway or boulevard along the East Boston waterfront, beginning at a point in World War Memorial park in the East Boston district of said city at or near the terminus of Neptune road, thence over public or private lands, public parks or reservations or public or private ways easterly of the location of the Boston, Revere Beach and Lynn railroad and along or adjacent to Bayswater street to a point in Saratoga street westerly of the bridge over Belle Isle inlet.

SECTION 2. To carry out the work authorized hereunder, said park department may use public lands or may take private lands or interests therein by right of eminent domain.

SECTION 3. For the purpose of meeting the cost of the work authorized hereunder, not exceeding, however, one million dollars, the treasurer of said city without any other authority than that herein contained shall, from time to time, on request of the mayor of the city, issue and sell at public or private sale serial bonds of the city to an amount necessary to meet said cost. Said bonds shall be outside the statutory limit of indebtedness of said city. Each authorized issue of bonds shall constitute a separate loan. The bonds shall be designated on their face, City of Boston, East Boston Waterfront Strandway Loan, Act of 1931, and shall be in such form of coupon or registered bonds as said treasurer shall determine; shall be for such terms not exceeding twenty years from the date of issue as the mayor of the city shall designate; shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity. The first of said annual payments on account of any loan shall be made not later than one year after the date of the bonds issued therefor. The amount of said payments in any one year on account of such loan shall not be less than the amount of the principal of the loan payable in any subsequent year. Said annual amounts, together with the interest on the loan, shall without further action be assessed until the debt is extinguished. Said treasurer shall hold the proceeds of said bonds in the treasury of the city, and shall pay therefrom the sums necessary to meet said cost. Any premiums received from the sale of said bonds less the cost of preparing and issuing the same shall be applied to the payment of the principal of the first bond or bonds to mature. The said treasurer may, with the approval of the mayor of said city, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of any issue of said bonds, and may issue notes of the city therefor, and such notes may be refunded by the

issue of new notes maturing with said year; but the period of the permanent loan herein authorized shall not be extended by reason of the temporary loan.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 9, 1931.

Accepted July 1, 1931.

See 1875, ch. 185.

1931.— CHAPTER 423.

AN ACT PROVIDING FOR THE CARE, CONTROL AND MAINTENANCE BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN BRIDGES OVER THE CHARLES RIVER.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to take over the care, control and maintenance of the following named bridges and their approaches, and shall have over the same all the powers and authority and be subject to the liability now conferred and imposed upon said commission in respect to the care, control and maintenance of roadways and boulevards under its care and control: (1) The bridge between the city of Boston and the city of Cambridge, known as the River street-Cambridge street bridge; (2) The bridge between said cities, known as the Western avenue bridge; (3) The bridge between said cities, known as the Larz Anderson bridge.

The approaches of said bridges lying in Boston shall be deemed to extend from the Boston ends thereof across the Soldiers' Field road to the further line thereof and those lying in Cambridge shall be deemed to extend from the Cambridge ends thereof across Memorial drive to the further line thereof.

SECTION 2. Said bridges and their approaches shall be maintained as public highways, and the cost of maintenance thereof shall be paid as a part of the cost of maintenance of boulevards by said commission.

Approved June 9, 1931.

See 1921, ch. 497.

1931.— CHAPTER 454.

AN ACT RELATIVE TO CERTAIN HIGHWAY AND OTHER IMPROVEMENTS IN CERTAIN CITIES AND TOWNS WITHIN THE METROPOLITAN PARKS DISTRICT.

* * * * *

SECTION 2. Said chapter four hundred and twenty* is hereby amended by striking out section two and inserting in place thereof the following:—*Section 2.* Said department is hereby further directed to lay out and construct a highway in the city of Boston, beginning at a point on Blue Hill avenue at its intersection with Canterbury street; thence over public and private lands and public and private ways, including portions of said Canterbury street, to a point on Cummins highway, so called, easterly of the intersection of said Cummins highway with Hyde Park avenue. Said department shall make surveys and prepare plans for the continuation of said highway in a southerly direction to connect with the proposed

*Chapter 420 of the Acts of 1930.

highway provided in section three, at a point near the Milton-Boston boundary line, together with a connection from said extension in a generally westerly direction to the intersection of Washington street and the West Roxbury parkway.

* * * * *

See 1897, ch. 407; 1930, ch. 420.

1932.—CHAPTER 23.

AN ACT AUTHORIZING THE CITY OF BOSTON TO MAKE CERTAIN FINANCIAL ADJUSTMENTS IN CONNECTION WITH THE TRANSFER OF USE OF CERTAIN LANDS HERETOFORE ACQUIRED FOR THE CONSTRUCTION OF A VEHICULAR TUNNEL.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter thirty of the acts of nineteen hundred and thirty-one is hereby amended by striking out all after the word "ninety-seven" in the eighth line and inserting in place thereof the following:—; provided, that such sum of money as may be agreed upon between the transit department and the mayor of said city as the reasonable value of the land and easements so used shall be applied to the payment of the cost of construction of the vehicular tunnel authorized by said chapter,—so as to read as follows:—*Section 1.* The city of Boston is hereby authorized to use for the erection of a printing plant and police station, or either of them, any lands or easements therein in Boston proper acquired under the provisions of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, which shall, in the opinion of the transit department of the city of Boston, cease to be needed for the purposes of said chapter two hundred and ninety-seven; provided, that such sum of money as may be agreed upon between the transit department and the mayor of said city as the reasonable value of the land and easements so used shall be applied to the payment of the cost of construction of the vehicular tunnel authorized by said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1932.

1932.—CHAPTER 125.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriations for municipal purposes for year 1932—\$18.00.)

1932.—CHAPTER 143.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES, THE BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS IN SPECIFIED DISTRICTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended,

is hereby further amended by striking out paragraph (a) under paragraph (8) thereof and inserting in place thereof the following paragraph:—

(a) A garage or parking of automobiles, except garage space for or parking of not more than three automobiles, of which not more than one may be a commercial vehicle, licensed, in case of a garage, as provided in paragraph (9).

SECTION 2. The first sentence of the paragraph numbered (9) in section five of said chapter four hundred and eighty-eight is hereby amended by striking out the words "otherwise excluded" in the first line thereof, so that said sentence shall read as follows:— Filling stations or garages, provided that the board of street commissioners, after public notice and hearing, grants a license therefor.

SECTION 3. The second sentence of section nine of said chapter four hundred and eighty-eight is hereby amended by striking out the word "structural", so that said sentence shall read as follows:— In the case of a building or part thereof designed and intended for a non-conforming use, such use in a part thereof may be extended throughout the building or part thereof so designed and intended or changed to any use permitted in a district where such non-conforming use would be permitted and not more detrimental or injurious to the neighborhood, provided no alterations are hereafter made therein, except those required by law, ordinance or regulation.

SECTION 4. Paragraph (11) of section sixteen of said chapter four hundred and eighty-eight, as amended, is hereby further amended by striking out the word "elsewhere" in the third clause thereof and inserting in place thereof the following:— for a building other than a dwelling in a district other than a thirty-five foot or forty foot single or general residence district, — so that said paragraph (11) shall read as follows:— (11) The limitation of building area herein prescribed shall apply in a thirty-five foot or forty foot single or general residence district at the curb grade; for a dwelling in any other district at a level not more than two feet above the first dwelling story floor; for a building other than a dwelling in a district other than a thirty-five foot or forty foot single or general residence district, not more than two feet above the second story floor; and not more than twenty feet above the mean curb grade in any case.

Approved April 7, 1932.

1932.— CHAPTER 171.

AN ACT PERMITTING THE USE OF FACSIMILE SIGNATURES OF THE MAYOR OF BOSTON UPON BONDS, NOTES, SCRIP AND CERTIFICATES OF INDEBTEDNESS ISSUED BY SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of Boston may, by a writing filed in the office of the treasurer of said city, authorize said treasurer to cause to be engraved or printed on any bond, note, scrip or certificate of indebtedness which said city is authorized to issue, a facsimile of the mayor's signature, and may, in like manner, authorize the said treasurer to stamp a facsimile of such signature upon any such instrument, and such facsimile signature so engraved or printed

or when stamped thereon by the mayor or the said treasurer shall have the same validity and effect as the mayor's written signature.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1932.

1932.—CHAPTER 176.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE RECONSTRUCTION OF ACCEPTED STREETS NOT EXCEEDING THE UNISSUED BALANCE OF THE AMOUNT HERETOFORE AUTHORIZED TO BE BORROWED FOR CERTAIN OTHER STREET PURPOSES. (Boston Street Loan, Act of 1922.)

Accepted April 30, 1932.

See 1930, ch. 264.

1932.—CHAPTER 203.

AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR PARK PURPOSES.

(Nashua Street Park Loan, Act of 1932.)

Accepted June 9, 1932.

See 1875, ch. 185.

1932.—CHAPTER 215.

AN ACT AUTHORIZING THE BOSTON CITY HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section two of chapter one hundred and seventy-four of the acts of eighteen hundred and eighty is hereby amended by striking out, in the third line, the word "one" and inserting in place thereof the word:—ten,—so as to read as follows:—*Section 2.* Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding ten million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the City Hospital of the city of Boston or any purpose connected therewith. Money received by it shall be invested by the treasurer of the city of Boston under the direction of the finance committee of said city; and all securities belonging to said corporation shall be placed in the custody of said treasurer: *provided*, always that both the principal and income thereof shall be, appropriated according to the terms of the donation, devise or bequest, under the direction of said corporation.

Approved May 12, 1932.

1937 Adv. Sh. 1341, 1347.

1932.—CHAPTER 224.

AN ACT RELATIVE TO SEWERAGE WORKS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter four hundred and twenty-six of the acts of eighteen hundred and ninety-seven, as amended

by section two of chapter two hundred and fifty-seven of the acts of eighteen hundred and ninety-eight, and as affected by chapter two hundred and four of the acts of nineteen hundred and eight, is hereby further amended by striking out, in the ninth and tenth lines, the words, "and one million dollars in any one year thereafter", — and by inserting after the word "same" in the twelfth line the words: —, so far as issued prior to the first day of January, nineteen hundred and eight, — so as to read as follows:— *Section 6.* The treasurer of said city, to meet the expenses incurred in constructing any sewerage works heretofore or hereafter ordered to be constructed in said city, shall from time to time on the request of said board, approved by the mayor, issue to the total amount appropriated, but not exceeding two million dollars in the aggregate in the period included in the years eighteen hundred and ninety-seven and eighteen hundred and ninety-eight, bonds of said city, registered or coupon, as said treasurer shall from time to time determine, and the same, so far as issued prior to the first day of January, nineteen hundred and eight, shall not be considered in determining the limit of indebtedness of said city; said bonds shall have printed on the face thereof the words, Sewerage Loan; shall be countersigned by the mayor and be made payable in terms of thirty years from their date; and shall bear such rates of interest not exceeding four per cent. per annum, payable semi-annually on the first day of January and the first day of July of each year, and be issued and disposed of in such amounts, in such modes, and at such times and prices, as said treasurer with the approval of the mayor shall from time to time determine.

SECTION 2. All votes heretofore passed by the city council of the city of Boston authorizing the issue of bonds of said city for the construction of sewerage works are hereby ratified and confirmed; and all bonds heretofore issued, as authorized by said votes, shall be legal obligations of said city and the interest and sinking fund requirements and serial debt requirements thereof shall be paid from the income and taxes of said city. Nothing in this act shall be construed as altering or affecting any of the provisions of chapter two hundred and four of the acts of nineteen hundred and eight, nor shall anything in this act be construed as granting any authority to the city of Boston to borrow any sum outside the limit of indebtedness.

SECTION 3. This act shall take effect upon its passage.
Approved May 16, 1932.

1932.—CHAPTER 231.

AN ACT RELATIVE TO APPOINTMENT OF AN ACTING BUSINESS MANAGER
OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and eighteen of the acts of nineteen hundred and six, as amended in section one by chapter one hundred and forty of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out said section one and inserting in place thereof the following:— *Section 1.* The school committee of the city of Boston shall choose a secretary, not of their

own number, who shall also serve as secretary to the board of superintendents, and a business manager, who shall hold their respective offices until removed by the committee for cause. Said committee may also choose, and may for cause remove, an acting business manager who shall serve only during the time that the business manager is absent or otherwise unable to act and shall during such time exercise all the powers and perform all the duties of said business manager. The committee may also elect and remove such other subordinate officers not specifically provided for by law as they may deem expedient. The business manager shall in writing approve and transmit to the auditor of said city all vouchers, pay rolls and other documents calling for the expenditure of money, together with summarized requisitions on said auditor, approved by the committee or by any authorized member thereof, and requesting said auditor to place said vouchers, pay rolls and other documents on his draft for payment by the treasurer of said city.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1932.

1932.—CHAPTER 287.

AN ACT RELATIVE TO STREET AND OTHER TRAFFIC IMPROVEMENTS
IN CONNECTION WITH THE CONSTRUCTION OF A VEHICULAR
TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine is hereby amended by inserting after the word "tunnel" the first time it occurs in the fifteenth line the words: —, and, in addition, the laying out, widening, relocating, reconstructing, extending and constructing to a width of not less than eighty feet nor more than ninety feet, as may be determined by the department with the approval of the mayor, of a street beginning on Merrimac street at its intersection with Portland and Chardon streets and extending over public ways and private property along the southerly side of Merrimac street to Friend street and on the northerly and southerly side of Merrimac street from Friend street to and including Haymarket square and thence along or adjacent to Cross street to Hanover street including the construction of a traffic circle and pedestrian underpasses in Haymarket square; said laying out, widening, relocating, reconstructing, extending and constructing shall be made in substantial conformity with the lines shown on a plan filed with said transit department and by copy with the state secretary, entitled 'Proposed Improvement of Haymarket Square, Cross St. from Haymarket Square to Hanover St., and Merrimac St. from Haymarket Square to Chardon St.', dated April 27, 1932,— so as to read as follows:—*Section 1.* The city of Boston, hereinafter called the city, acting by the transit department of the city of Boston, hereinafter called the department, shall proceed with the laying out and construction of a tunnel which shall consist of two or more roadways or lanes for vehicular traffic contained in one or two tubes, with or without physical connection, under Boston harbor from a convenient point or points in Boston proper to a convenient

point or points in that part of the city known as East Boston, and with the laying out and construction of all facilities and appurtenances incidental thereto, including plazas and street approaches extending not more than one thousand feet from the tunnel entrances or exits as the department shall deem necessary and desirable to facilitate the movement of traffic entering and leaving the tunnel, and, in addition, the laying out, widening, relocating, reconstructing, extending and constructing to a width of not less than eighty feet nor more than ninety feet, as may be determined by the department with the approval of the mayor, of a street beginning on Merrimac street at its intersection with Portland and Chardon streets and extending over public ways and private property along the southerly side of Merrimac street to Friend street and on the northerly and southerly side of Merrimac street from Friend street to and including Haymarket square and thence along or adjacent to Cross street to Hanover street including the construction of a traffic circle and pedestrian underpasses in Haymarket square; said laying out, widening, relocating, reconstructing, extending and constructing shall be made in substantial conformity with the lines shown on a plan filed with said transit department and by copy with the state secretary, entitled "Proposed Improvement of Haymarket Square, Cross St. from Haymarket Square to Hanover St., and Merrimac St. from Haymarket Square to Chardon St.", dated April 27, 1932. The word "tunnel" as used in this act shall connote the plural in so far as it may consist of two tubes with or without physical connection.

SECTION 2. Said chapter two hundred and ninety-seven is hereby further amended by striking out section eight and inserting in place thereof the following:—*Section 8.* For the purpose of meeting the cost of the tunnel, which shall include all expenses incurred in laying out and constructing the same and all facilities and appurtenances incidental thereto, including plazas, street approaches and additional street and traffic improvements, all as described in section one, and all land damages, expenses of the department, such proportion of the salaries of the department as may in its opinion be properly chargeable thereto and all interest accruing prior to the use of the tunnel on debt incurred for the foregoing, the treasurer of the city shall, from time to time, on request of the department, with the approval of the mayor of the city and without any other authority than that contained in this act, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding nineteen million dollars. Such bonds shall be designated on their face, Traffic Tunnel Bonds, City of Boston, Acts of 1929, sixteen million dollars of which shall be for such terms, not exceeding fifty years, and three million dollars of which shall be for such terms, not exceeding thirty years, as in each case the mayor and the treasurer of the city may determine, and shall bear such interest, payable semi-annually, as the mayor and the treasurer of the city may determine. Such bonds may be called, retired and cancelled by the city on any date upon which interest is payable on said bonds after twenty years from their respective dates, by payment by the city of the amount of the face of said bonds with

any accumulated unpaid interest, and the bonds shall contain a statement to such effect. The proceeds of such bonds shall be used only to meet the cost of the tunnel as hereinbefore defined. The said three million dollars of bonds shall also be designated on their face, Series B. The debt incurred from time to time under the provisions of this act shall not be included in determining the limit of indebtedness of the city as established by law. The board of sinking fund commissioners of the city shall establish a primary sinking fund for the payment of the said sixteen million dollars of bonds and a supplemental sinking fund for the payment of the principal and interest of the said three million dollars of bonds. There shall annually be paid into such primary sinking fund from tolls and charges or otherwise as hereinafter provided such sum at least as is necessary to provide for the payment of the said sixteen million dollars of bonds at the expiration of fifty years from their respective dates, and from the excess of tolls and charges available under section twelve there shall annually be paid into such supplemental sinking fund such sum at least as is necessary to provide for the payment of the interest on the said three million dollars of bonds as it becomes due and the principal of such bonds at the expiration of thirty years from their respective dates; provided, that the first payment into either of said funds shall not be made prior to the expiration of one year after the entire tunnel is in operation. Upon and after the completion of the tunnel as aforesaid there shall also be paid into said primary sinking fund the proceeds received from any sales or leases under section four and the balance of the proceeds of any bonds previously issued hereunder and no longer required for construction purposes.

All tolls, rents, percentages, compensation and other charges received for any use of the tunnel shall be used by the treasurer of the city only to meet the operating costs, exclusive of interest on the said three million dollars of bonds and payments into the said supplemental sinking fund, and, subject to the provisions of section twelve, the excess in any year of such tolls and charges over operating costs, exclusive of the said interest and sinking fund payments in respect of the said three million dollars of bonds, shall be paid into said primary sinking fund.

The treasurer of the city may, from time to time, on the request of the department, with the approval of the mayor of the city and without any other authority than that contained in this act, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of any issue of bonds herein authorized, and may issue notes therefor; and such notes may be refunded from time to time by the issue of new notes maturing within one year from the date of their issue; provided, that the period from the date of issue of the original loan to the date of maturity of the final refunding period of the permanent loans herein authorized shall not be extended by reason of the temporary loans.

SECTION 3. Said chapter two hundred and ninety-seven is hereby further amended by striking out section nine and inserting in place thereof the following:—*Section 9.* Upon the completion of the tunnel, the public works department of the city shall operate

the same as a toll tunnel, and shall from time to time establish a schedule of tolls and charges for the use of the same, which, in the opinion of said public works department, subject to the approval of the department of public utilities, will pay all operating costs, which term wherever used in this act shall include charges for adequate maintenance and upkeep, operating expenses including therein proper policing, lighting, and ventilating, interest on all bonds or notes issued under authority hereof, and such annual amounts as are necessary to provide a sinking fund for the payment of the principal of the said sixteen million dollars of bonds upon the expiration of such period of time, not less than twenty nor more than fifty years after their respective dates, and a sinking fund for the payment of the said three million dollars of bonds upon the expiration of such period of time, not less than twenty nor more than thirty years after their respective dates, as in each case said public works department, with the approval of the department of public utilities, shall from time to time determine. If in any year such schedule of tolls and charges should prove to be insufficient, the said public works department shall establish such tolls and charges as will provide sufficient revenue to meet any deficit; provided, that if in the opinion of said public works department such new schedule of rates and charges would not result in an increase in revenue, then it may establish such new schedule of tolls and charges as it deems will produce the maximum revenue and any deficits resulting therefrom shall be met as provided in section eleven. All schedules of tolls and charges established under this section or under section twelve shall be subject to the approval of the department of public utilities. The said public works department shall collect such tolls and charges from the driver of each vehicle using said tunnel, and shall daily pay the same over to the city collector of Boston; provided, that no toll or charge shall be collected from the drivers of vehicles owned by the city or from drivers of ambulances.

SECTION 4. Section ten of said chapter two hundred and ninety-seven is hereby amended by inserting after the word "payment" in the seventh line the words:—subject to the priorities herein provided in favor of the said sixteen million dollars of bonds over the said three million dollars of bonds,—and by inserting before the word "bonds" in the last line of said section the words:—sixteen million dollars of,—so that said section shall read as follows:—*Section 10.* In addition to the full credit of the city so much of all receipts from tolls and charges for or on account of the use of the tunnel as are required to be expended, by the provisions of this act, for the payment of the principal and interest of the bonds issued under section eight, as and when the same become due and payable, are hereby pledged to such payment subject to the priorities herein provided in favor of the said sixteen million dollars of bonds over the said three million dollars of bonds; and said provisions are hereby declared to constitute contracts between the city and the holders of said bonds within the meaning of section ten of Article I of the constitution of the United States, and a recital thereof shall appear on the face of said sixteen million dollars of bonds.

SECTION 5. Said chapter two hundred and ninety-seven is hereby further amended by striking out section twelve and inserting in place thereof the following:—*Section 12.* Whenever as of the last day of June in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, excluding for this purpose interest and sinking fund requirements in respect of the said three million dollars of bonds but including sinking fund requirements in respect of the said sixteen million dollars of bonds on a basis of the payment of all of the said sixteen million dollars of bonds at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven, exclusive of any amounts so raised for interest or sinking fund requirements in respect of the said three million dollars of bonds. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, exclusive of amounts for interest and sinking fund requirements in respect of the said three million dollars of bonds, the public works department shall, subject to the provisions of section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs; provided, however, that until all of the said three million dollars of bonds shall become payable, whether at their final maturity or when called as hereinbefore provided, any such excess not so needed for such reimbursement shall be paid into the said supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said three million dollars of bonds. In case it shall be determined that all of such excess cannot be so paid without impairing rights secured by the constitution of the United States to holders of any of the said sixteen million dollars of bonds heretofore sold and paid for, then such part only of such excess as can be so paid without such impairment shall be paid into the said supplemental sinking fund as hereinbefore provided. If the amounts so directed to be contributed to the said supplemental sinking fund shall be more than necessary to meet the interest on the said three million dollars of bonds and to retire the principal thereof at the expiration of twenty years after their respective dates, the public works department shall establish the said reduced schedule as hereinbefore provided.

SECTION 6. If any provision hereof shall be invalid, such invalidity shall not affect any other provisions of this act or the validity of any of said nineteen million dollars of bonds as obligations secured not only by the full credit of the city but also by a pledge of the receipts from tolls and charges as herein provided to the extent that such provisions shall be valid.

SECTION 7. Said chapter two hundred and ninety-seven, having been submitted to and accepted by the city council of the city of Boston, in accordance with the provisions of section fifteen thereof, this act in amendment of said chapter shall take effect upon its passage and without being further submitted to the city council of said city.

Approved June 6, 1932.

1932.—CHAPTER 288.

AN ACT PROVIDING FOR THE CARE, CONTROL AND MAINTENANCE BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN AREAS OF STREET INTERSECTIONS WITHIN THE LINES OF THE OLD COLONY BOULEVARD IN THE CITY OF BOSTON.

1932.—CHAPTER 306.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONSTRUCT THE HUNTINGTON AVENUE SUBWAY IN SAID CITY.

Accepted by City, June 21, 1932.

Not accepted by the Company.

See 1933, ch. 366, Part II.

1933.—CHAPTER 93.

AN ACT RELATIVE TO THE ISSUE OF LICENSES AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR SIGHT-SEEING AUTOMOBILES CARRYING PERSONS IN OR FROM THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty-one is hereby amended by inserting after the word "is" in the third line the word:—first,—and by inserting after the word "unless" in the fourth line the word:—thereafter,—so as to read as follows:—*Section 2.* It shall be unlawful for a person or a corporation to offer or furnish service by a sight-seeing automobile in or from the city of Boston unless said automobile is first licensed hereunder and unless thereafter a certificate of public convenience and necessity is obtained as hereinafter provided, and it shall be unlawful for a person to operate such an automobile as driver in or from said city unless he is licensed so to do as hereinafter provided.

SECTION 2. Section five of said chapter three hundred and ninety-nine is hereby amended by striking out, in the third line, the word "first",—so as to read as follows:—*Section 5.* No person or corporation shall offer or furnish service by sight-seeing automobiles in or from the city of Boston unless said person or corporation has obtained from the department of public utilities a certificate declaring that public convenience and necessity require such operation. Said department may, after public hearing, issue or refuse to issue such a certificate and may attach to the exercise of the privilege conferred by said certificate such terms and conditions as to operation and fares as the said department may deem that public convenience and necessity require. Said department may, after notice and hearing, suspend or revoke any such certificate for cause or alter or amend any terms or conditions attached to the exercise of the privilege conferred thereby. Said department may make suitable and reasonable rules, orders and regulations governing the operation and fares of sight-seeing automobiles carrying persons in or from the city of Boston, and may revise, alter, amend

and annul the same; provided, that such rules, orders and regulations shall not be inconsistent with those lawfully established by the board of street commissioners of the city of Boston, by the Boston traffic commission, by the board of park commissioners of said city, or by said police commissioner.

Approved March 23, 1933.

1933.—CHAPTER 113.

AN ACT RELATIVE TO LOAN ORDERS FOR TEMPORARY LOANS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by inserting after the word "first" in the twenty-fourth line the words: —, except that in the case of loan orders for temporary loans in anticipation of taxes the second of said readings and votes may be had not less than twenty-four hours after the first, — so as to read as follows: — *Section 2.* The mayor from time to time may make to the city council in the form of an ordinance or loan order filed with the city clerk such recommendations other than for school purposes as he may deem to be for the welfare of the city. The city council shall consider each ordinance or loan order presented by the mayor and shall either adopt or reject the same within sixty days after the date when it is filed as aforesaid. If the said ordinance or loan order is not rejected within said sixty days it shall be in force as if adopted by the city council unless previously withdrawn by the mayor. Nothing herein shall prevent the mayor from again presenting an ordinance or loan order which has been rejected or withdrawn. The city council may originate an ordinance or loan order and may reduce or reject any item in any loan and, subject to the approval of the mayor, may amend an ordinance. All sales of land other than school lands, all appropriations for the purchase of land other than for school purposes, and all loans voted by the city council shall require a vote of two thirds of all the members of the city council; and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first, except that in the case of loan orders for temporary loans in anticipation of taxes the second of said readings and votes may be had not less than twenty-four hours after the first. No amendment increasing the amount of land to be sold or the amount to be paid for the purchase of land, or the amount of loans, or altering the disposition of purchase money or of the proceeds of loans shall be made at the time of the second reading and vote.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1933.

1933.—CHAPTER 121.

AN ACT RELATIVE TO SALARY REDUCTIONS IN THE CITY OF BOSTON AND THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Neither the provisions of chapter thirty-one of the General Laws as amended nor any civil service rule or regulation shall apply to any reductions made pursuant to the provisions of

this act in the salary of any person holding office or employment classified under the civil service rules in the city of Boston or county of Suffolk when such reduction in salary applies equally or uniformly to all persons of the same grade or classification.

SECTION 2. Section five of chapter two hundred and forty-one of the acts of eighteen hundred and seventy-five is hereby amended by adding at the end thereof the following new sentence:— The school committee may during the school year which commenced on September first, nineteen hundred and thirty-two, and which ends on August thirty-first, nineteen hundred and thirty-three, reduce the salaries of teachers and other officials and employees of the school department, provided that such reduction in salaries applies uniformly to all persons of the same grade or classification and receiving the same salary, — so as to read as follows: — *Section 5.* The school committee shall have the supervision and direction of the public schools, and shall exercise the powers and perform the duties in relation to the care and management of schools which are now exercised and performed by the school committee of said city, except so far as they may be changed or modified by this act, and shall have the powers and discharge the duties which may hereafter be imposed by law upon the school committees of cities and towns. They may elect teachers, and may discharge those now in office, as well as those hereafter elected. They shall appoint janitors for the school-houses, fix their compensation, designate their duties, and may discharge them at pleasure. They may fix the compensation of the teachers, but the salaries established at the commencement of each school year shall not be increased during such year. The school committee may during the school year which commenced on September first, nineteen hundred and thirty-two, and which ends on August thirty-first, nineteen hundred and thirty-three, reduce the salaries of teachers and other officials and employees of the school department, provided that such reduction in salaries applies uniformly to all persons of the same grade or classification and receiving the same salary.

SECTION 3. During the calendar year nineteen hundred and thirty-three the mayor of Boston may by executive order reduce for the period beginning with the date of the passage of this act and ending December thirty-first, nineteen hundred and thirty-three, the salary of every office and position, the salary of which is paid from the treasury of the city of Boston in whole or in part, and whether such salary is fixed by statute, city ordinance or otherwise, and whether or not such office or position is subject to civil service or classified under the civil service rules or under the county classification plan, except the members of the city council and its employees, the officers and employees of the police department, the school department, the department of school buildings, the licensing board, the finance commission and the Boston Port Authority, and provided that such reduction applies uniformly and equally to all persons thereby affected receiving the same amount or rate of salary, and provided that the salary of no person shall be reduced by a greater percentage than that of a person receiving a larger salary. The mayor shall give written notice of any such general reduction in such salary to the police commissioner, the school committee, the board of commissioners of school buildings, the superintendent of

construction thereof, the city council, the licensing board, the finance commission and the Boston Port Authority. If within ten days of the delivery of such notice the officer, committee, board or other body so notified does not reduce the salary of each office and position under the control or the jurisdiction of said officer, committee, board or other body upon the same uniform basis and for the same period of time as the reduction put into effect by the mayor, the mayor forthwith by executive order, in the same manner and with the same authority as hereinbefore provided, and upon the same basis, shall effect reductions in the salary of each office and position of the departments, boards and other bodies so notified, wherever such reductions have not theretofore been made pursuant to this section and after the delivery of such notice. Such reductions shall be in force from the effective date of the reductions specified in the executive order first made by the mayor. All necessary authority to effect such temporary reductions is hereby granted to the mayor, to the city council, and to such other officers, committees, boards, or bodies as may effect reductions pursuant to this section, including, without limiting the generality of the foregoing, the authority to reduce salaries fixed by statute, by any rule or vote of the school committee, by ordinance, or otherwise, and the salaries of persons subject to civil service. The mayor taking office on January first, nineteen hundred and thirty-four, may by executive order continue in effect for the calendar year nineteen hundred and thirty-four the reductions made pursuant to the provisions of this section. During the period in which any reduction in salary hereunder is effective, no further reduction therein shall be made.

SECTION 4. The words "salary" or "salaries" as used in this act shall include all wages and compensation however payable and whether or not for full time, and in the case of an official or employee whose salary is payable in part from funds of the treasury of the city of Boston and in part from state or other funds, shall mean that part payable from the funds of the city treasury.

SECTION 5. No reduction in salary or compensation made under the provisions of this act shall affect the amount payable, under chapter thirty-two of the General Laws or any other provision of law, to any officer or employee of said county or city as a pension or annuity under any non-contributory pension law.

SECTION 6. All action heretofore taken by said city of Boston or any of the officials thereof in making deductions from salaries of officers and employees paid from the treasury of the city of Boston as contributions to public welfare is hereby ratified and confirmed and shall have the same force and effect as if they were reductions made under the provisions of this act.

SECTION 7. All acts, parts of acts, rules and regulations, and ordinances inconsistent with this act are hereby suspended during the period of its operation.

SECTION 7A. Any woman employed by the city of Boston or the county of Suffolk as a scrubwoman, shall not be subject to any provisions of this act.

SECTION 8. This act shall take effect upon its passage.

Approved April 11, 1933.

See 1934, ch. 228.

Section 6, 290 Mass. 427, 428, 429, 430. (Section unconstitutional.)

1933.— CHAPTER 159.

AN ACT ESTABLISHING AN APPROPRIATION LIMIT FOR THE CITY OF BOSTON.

(Establishes amount of appropriation limit for 1933 and authorizes further expenditures in anticipation of appropriation.)

1933.— CHAPTER 204.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES AND THE OCCUPANCY OF LOTS IN THE CITY OF BOSTON.

Be it enacted as follows:

SECTION 1. Paragraph (a) under paragraph (8) of section three of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by section one of chapter one hundred and forty-three of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out all after the word "vehicle" in the third line, as appearing in said section one, and inserting in place thereof the following:—, provided that such a garage, except a building exempted from being licensed as a garage by section fourteen of chapter one hundred and forty-eight of the General Laws, is licensed as provided in paragraph (9),—so as to read as follows:—

(a) A garage or parking of automobiles, except garage space for or parking of not more than three automobiles, of which not more than one may be a commercial vehicle, provided that such a garage, except a building exempted from being licensed as a garage by section fourteen of chapter one hundred and forty-eight of the General Laws, is licensed as provided in paragraph (9).

SECTION 2. Said paragraph (8) of said section three is hereby further amended by striking out paragraph (c) thereunder and inserting in place thereof the following paragraph:—

(c) Signs except those pertaining to the lease, sale or use of the lot or building on which placed, and not exceeding a total area of eight square feet, and except further that on a lot occupied by a dwelling there shall not be more than one such sign, pertaining to the use thereof or bearing the name or occupation, or both, of an occupant, for each family housed and no such sign shall exceed one square foot in area.

SECTION 3. Section four of said chapter four hundred and eighty-eight is hereby amended by striking out paragraph (5) and inserting in place thereof the following:—

(5) Accessory uses customarily incident to any of the above uses. The term "accessory use" shall be construed as in section three, except that said term as used in this section shall, elsewhere than in a thirty-five foot district, include a garage in the basement or cellar, or both, of a building.

SECTION 4. Section thirteen of said chapter four hundred and eighty-eight, as amended in the fourth paragraph, entitled "*Set-back*", by section four of chapter one hundred and eighty of the acts of nineteen hundred and thirty-one, is hereby further amended by striking out said paragraph and inserting in place thereof the following:—

Set-back: On lots abutting on one side of a street between two

intersecting streets in a sixty-five foot general residence district, and in any adjacent forty foot or thirty-five foot single or general residence district, no building shall hereafter be erected or altered to be nearer the street line than the average set-back of existing buildings within such limits, subject to the following provisions:

SECTION 5. Section sixteen of said chapter four hundred and eighty-eight, as amended, is hereby further amended by striking out paragraph (12), as amended by section five of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, and inserting in place thereof the following:—

(12) On a lot occupied by a dwelling, a one story building of accessory use thereto and not more than fifteen feet high measured to the mean height of the gable may be located in and occupy not more than thirty per cent of the rear yard of such dwelling. The area occupied by such a building of accessory use shall not be included as occupied area in computing the percentage of lot occupancy. An accessory building for automobiles may be attached to the side of a dwelling; provided, that all open spaces for said dwelling shall be measured from the outside walls of the accessory building.

SECTION 6. Said section sixteen of said chapter four hundred and eighty-eight, as amended, is hereby further amended by adding after paragraph (14), inserted by section five of said chapter one hundred and eighty, the following new paragraph:—

(15) On a corner lot the entrance to the dwelling shall not be determinative of the front of the structure, but the front may be taken on either street.

Approved May 18, 1933.

1933.—CHAPTER 243.

AN ACT RELATIVE TO ACCUMULATED LIABILITY CONTRIBUTIONS FOR
THE BOSTON RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as amended by section one of chapter two hundred and fifty-one of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out the fifth paragraph and inserting in place thereof the following:—

On and after January first, nineteen hundred and thirty-three, the accumulated liability contribution shall be computed as a constant percentage of the total pay roll of all members and shall be sufficient to provide during the thirty year period immediately following the year nineteen hundred and thirty-two for all pensions to be paid on account of members who are entitled to credit for prior service which are not provided by the normal contributions made on their account, and the funds in hand on the thirty-first day of December, nineteen hundred and thirty-two, which have been accumulated on their account. The accumulated liability contributions shall be at least equal to regular interest on the amount of the accumulated liability and shall be at least three per cent greater in amount each year than the amount for the preceding year. After the year nineteen hundred and thirty-six, the accumu-

lated liability contributions shall be at least equal to regular interest on the accumulated liability plus one per centum of the accumulated liability as it existed on the thirty-first day of December, nineteen hundred and thirty-two. The accumulated liability contributions shall be discontinued as soon as the accumulated liability has been liquidated.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1933.

1933.—CHAPTER 306.

AN ACT RELATIVE TO THE REGULATION AND LIMITATION OF HACKNEY CARRIAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section four of chapter three hundred and ninety-two of the acts of nineteen hundred and thirty is hereby amended by adding at the end thereof the following new sentence:—Said commissioner shall, if public convenience and necessity so require, fix a limit for the number of licenses to be issued under this section, but may from time to time, after a reasonable notice and a hearing, change the limit so fixed. In fixing or changing such limit he shall be guided by the number of hackney carriages actually being operated and not by the number of licenses issued and outstanding. If an applicant is refused a license hereunder by reason of the fact that the maximum number of licenses limited as aforesaid has been issued, the department of public utilities, on petition of such applicant, may after a hearing determine that public convenience and necessity require that a higher limit than that fixed by said police commissioner shall be established, in which case the limit set by said department shall be considered final.

Approved June 28, 1933.

1933.—CHAPTER 324.

AN ACT RELATIVE TO THE INDEMNIFICATION BY THE CITY OF BOSTON OF MEMBERS OF ITS POLICE AND FIRE FORCES AND OTHERS FOR CERTAIN EXPENSES OR DAMAGES INCURRED BY THEM.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may indemnify a member of its police or fire force, or a person required to assist a member of its police force in the discharge of his duties, to an amount not more than that recommended by its police commissioner or fire commissioner, as the case may be, for expenses or damages sustained while acting as such member or as such assistant and such damages may include loss of pay by reason of absence from duty on the part of such member because of temporary incapacity caused by injury suffered through no fault of his own while in the actual performance of duty. Said city may also indemnify such member for expenses or damages incurred by him in the defence or settlement of a claim against him for acts done by him while acting as such member; provided, that the defence or settlement of such claim shall have been made by the corporation counsel of said city. If such member or such assistant be dead, such expenses or dam-

ages shall be payable to his widow, or, if he leaves no widow, then to his next of kin who, at the time of his death, were dependent upon his wages for support.

SECTION 2. This act shall be construed to authorize the city of Boston to pay compensation, in the manner herein provided, for damages for personal injuries, whether or not death results, and for property damage, sustained by a person while assisting a member of its police force in the discharge of his duty upon his requirement.

SECTION 3. Section one hundred of chapter forty-one of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by adding thereto the following:— This section shall not apply to the city of Boston.

SECTION 4. This act shall take effect upon its passage.

Approved July 12, 1933.

See 1906, ch. 291.

1933.—CHAPTER 366.

AN ACT ENABLING CITIES AND TOWNS AND FIRE, WATER, LIGHT AND IMPROVEMENT DISTRICTS TO SECURE THE BENEFITS PROVIDED BY THE NATIONAL INDUSTRIAL RECOVERY ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose to alleviate promptly conditions of widespread unemployment, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

PART I.

SECTION 1. The Emergency Finance Board, established under section one of chapter forty-nine of the acts of the current year, in this act referred to as the board, shall, in addition to the powers and duties otherwise conferred or imposed upon it, exercise and perform the powers and duties hereinafter conferred or imposed upon it, and the provisions of said section one relative to action by the board shall apply in the case of action under this act. Each appointive member of the board, when acting under this act, shall receive from the commonwealth as compensation, in addition to any sums otherwise so payable, for each day's attendance at board meetings, the sum of thirty dollars; provided, that the total amount paid hereunder to any member for compensation as aforesaid shall not exceed three thousand dollars in any period of twelve months.

The director of the division of accounts, and an assistant in said division designated by him, and the state treasurer shall, for each day's services rendered in connection with the work of the board under this act and chapter three hundred and seven of the acts of the current year, be paid thirty dollars in addition to his regular compensation; provided, that the total amount paid hereunder to said director or to said assistant or to said treasurer for compensation as aforesaid shall not exceed two thousand dollars in any period of twelve months.

Separate records and accounts shall be kept by the board of its action under this act.

At the request of the board, in so far as is practicable, the attorney general, the commissioner of public works, the commissioner of corporations and taxation and the commission on administration and finance shall assign for temporary service for the board, such employees in their respective departments as the board may require in carrying out the provisions of this act, and any expense incurred by any such department by reason of such assignment shall be deemed an expense of the board. The board may also employ, subject to the approval of the governor and council, such additional expert and clerical assistance as it may require, but the cost thereof in no event shall exceed twenty thousand dollars for the balance of the fiscal year ending November thirtieth, nineteen hundred and thirty-three.

SECTION 2. Any city or town, including Boston, by a two thirds vote as defined in section one of chapter forty-four of the General Laws, with the approval of the mayor of such a city, may engage in any public works project included in any "comprehensive program of public works" prepared under section two hundred and two of Title II of the National Industrial Recovery Act, but only in case such project is approved, as hereinafter provided, by the board and by the governor and in case the proper federal authorities have obligated the federal government to make a grant thereof of federal money under section two hundred and three of said title. Such projects, so approved, shall be carried out in all respects subject to the provisions of said Title II and to such terms, conditions, rules and regulations, not inconsistent with applicable federal laws and regulations, as the board may establish, with the approval of the governor, to ensure the proper execution of such projects. Any such city or town may accept and use for carrying out any project so approved any grant or loan of federal funds under section two hundred and three of said Title II; and, for the purpose only of carrying out such project, may borrow from the United States of America for such project such sums as may be fixed by the board as hereinafter provided, and may issue bonds, notes or other forms of written acknowledgment of debt for such terms and carrying such rates of interest as may be fixed by the board as hereinafter provided. The aggregate amount that may be borrowed hereunder by any city or town for projects for which borrowings are authorized under section seven of said chapter forty-four shall not exceed its limit of indebtedness, as determined in accordance with section ten of said chapter, by more than one per cent on the average of the assessors' valuations of its taxable property for the three preceding years, such valuations to be reduced and otherwise determined as provided in said section ten; and the amount that may be borrowed hereunder by any city or town for any project for which borrowings are authorized by section eight of said chapter shall not exceed the limit provided in said section eight for such projects by more than one per cent of the last preceding assessed valuation of such city or town. For the purposes of the foregoing sentence, the limit of indebtedness of the city of Boston shall be computed in accordance with the provisions of section ten of said chapter forty-four as provided in section two of chapter two hundred and twenty-five of the acts of nineteen hundred and thirty-one. In fixing the amounts that may be

borrowed hereunder for projects for which borrowings are not authorized by said chapter forty-four, the board shall be guided by the above limitations as applied to the provisions of said chapter applicable to like projects. The board shall fix the terms of and rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities, but such terms shall in no event be for a shorter time than the maximum term permitted by the federal government for that particular issue. All the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, shall apply to any borrowing hereunder by any city or town, including Boston and Worcester, except as hereinbefore provided and except in so far as such provisions of law may be in conflict with applicable federal laws and regulations. Each city or town seeking the approval of any project by the board shall submit to it all information required with respect to the financial condition of such city or town, its outstanding indebtedness within and without its limit of indebtedness, the estimated cost of the project, the alleged necessity therefor and the proposed method of financing the same. In granting or withholding its approval, the board shall take into consideration, among other things, the necessity of the proposed project, the ability of such city or town to finance the same, the extent to which the carrying out of the project will tend to relieve unemployment and the extent to which the maintenance of the project when completed will tend to increase or decrease the annual expenditures of such city or town and to increase or decrease the tax burden upon its inhabitants.

SECTION 2A. All projects for the construction, reconstruction or resurfacing of roads and the construction of sewers shall be done by human labor, except in so far as machinery is, in the opinion of the federal, city or town officer or department having charge of the project, reasonably necessary, and the wages for such labor shall not be less than the prevailing rate of wages as established by the federal government.

SECTION 3. Any officer or department of a city or town charged with the duty of carrying out any project so approved shall have, in addition to any powers expressly given by statute, such powers as may be determined and certified by the board to be proper and reasonably necessary to carry out such project, including the power to take property by eminent domain on behalf of such city or town provided that no source of water supply and no works for the disposal of sewage shall be installed without first having the approval of the state department of public health. If such officer or department is aggrieved by such action, he or it may, within ten days after notice thereof, appeal to the governor, whose decision shall be final. The board is hereby authorized to make all necessary orders, rules and regulations and perform all necessary actions under this act; and none of such orders, rules, regulations and actions shall be declared inoperative, illegal or void for any omission of a technical nature in respect thereto. Nothing in this act shall require any action in contravention of applicable federal laws and rules and regulations nor preclude action in conformity therewith.

SECTION 4. The governor of the commonwealth is hereby authorized to take any and all steps necessary from time to time to enable the cities and towns of this commonwealth to secure any benefits to which they may be entitled under the National Industrial Recovery Act, and the board is hereby directed to co-operate and assist him in every way possible.

SECTION 5. Unless inconsistent with the provisions of Title II of the National Industrial Recovery Act, all contracts awarded under the provisions of this act shall only be awarded to citizens of the United States of America or to corporations a majority of whose officers and directors are citizens of the United States of America.

SECTION 6. The provisions of Part I of this act shall, so far as applicable, apply to any fire, water, light or improvement district.

PART II.

CONSTRUCTION OF A SUBWAY IN THE CITY OF BOSTON.

SECTION 1. The following words as used in Part II of this act shall, unless the context otherwise requires, have the following meanings:—

“City” shall mean the city of Boston.

“Company” shall mean the Boston Elevated Railway Company, its successors and assigns.

“Department” shall mean the transit department of the city of Boston, or such board or officers as may succeed to its rights and duties.

“Premises” shall mean the property authorized to be acquired or constructed by the department under the provisions of section two of Part II of this act, except equipment.

“Equipment” shall mean the property which the department is authorized to provide and furnish under the provisions of section three of Part II of this act.

Whenever any act is required or authorized to be done or performed by the department under Part II of this act, such action shall be in the name of and on behalf of the city of Boston, and whenever any action is required or permitted to be taken by the city under Part II of this act, such act shall be performed by the department, unless otherwise expressly provided by Part II of this act.

SECTION 2. Provided the board and the governor approve the public works project as hereinafter authorized, and the conditions hereinafter set forth are complied with, the department may construct within the limits of the city a subway connecting with or being an extension of any existing subway; provided such project as so approved is also approved by the proper federal authorities and a substantial part of the cost of construction of said extension can be obtained under the provisions of the National Industrial Recovery Act. Such project so approved shall be carried out in all respects subject to the provisions of Title II of the National Industrial Recovery Act, subject to the terms and conditions imposed by the board and to the rules and regulations promulgated pursuant to section two of Part I of this act, and the city may accept and use for the carrying out of such project any grant or loan of federal funds under said Title II.

SECTION 3. The department shall provide, equip and furnish the subway or extension authorized by virtue of section two of Part II and the stations and approaches thereof and thereto to the same extent and manner as provided in section three of chapter four hundred and eighty of the acts of nineteen hundred and twenty-three, with respect to the railway authorized by said act.

SECTION 4. For the purposes of Part II of this act the department shall have all the powers conferred upon the Boston transit commission by chapter five hundred and forty-eight of the acts of eighteen hundred and ninety-four and by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven and amendments thereof, either generally or in connection with the construction or operation of any tunnel or subway authorized by said chapters, and like powers as conferred by chapter four hundred and eighty of the acts of nineteen hundred and twenty-three with respect to the works authorized thereunder, and by all other acts conferring authority upon the Boston transit commission or the department.

The premises and equipment may be constructed upon, under or over public or private ways or lands including lands devoted to the public use and property belonging to a railroad company.

For the purpose of constructing the work authorized by Part II of this act the department may enter upon and use the land of others. Any person injured in his property by such entry or use of his land by the department may recover his damages under chapter seventy-nine of the General Laws.

SECTION 5. To meet the cost of the premises and equipment, the city, with the approval of the emergency finance board, may issue bonds which shall be designated on their face Subway Bonds, Acts of 1933, in the same manner as bonds issued under section eleven of said chapter four hundred and eighty of the acts of nineteen hundred and twenty-three and the provisions of said section shall apply to the premises and equipment and all action taken under authority of this section, provided, however, that the city shall obtain as large a sum as is possible under the provisions of the National Industrial Recovery Act.

SECTION 6. All rentals or other payments received by the city under Part II of this act shall be used so far as necessary for the payment of interest on the obligations incurred hereunder and the balance shall be used for the payment of the principal thereof or the accumulation of a sinking fund therefor. All indebtedness incurred under Part II of this act shall be outside of the statutory limit of indebtedness of the city, but within the limitations set forth in Part I.

SECTION 7. No construction work shall be done under Part II of this act, however, unless and until a plan therefor shall be approved by the commission of the department of public utilities and the mayor of the city and unless and until a contract between the city and the company shall have been executed for the sole and exclusive use by the company of the premises and equipment for a term beginning with the use thereof and ending upon the termination of the lease or contract for use as at present extended of the Boylston street subway. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the

consent thereto of the company in writing nor at any time except with the approval of said emergency finance board, the governor and such approvals as may be required under the provisions of the National Industrial Recovery Act or regulations made thereunder. The contract shall be in the same general form as that authorized by said chapter four hundred and eighty, except in so far as any other provision may be agreed upon by the department and the company as specially applicable to the demised premises. The net cost of the premises and equipment shall be determined in the manner provided in said chapter four hundred and eighty, except that there shall be deducted from the amount so determined all amounts received by the city as direct grants, or by remission of bonds or other obligations, or in any manner or form whatsoever amounting in substance directly or indirectly to a contribution to the cost of the premises and equipment under the National Industrial Recovery Act. The rental shall be payable annually on the twenty-fifth day of April in each year. Such contract for use shall provide that the company shall pay to the city for each full year ending with the last day of March, and ratably for any portion of the year, an annual rental which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of the premises and equipment in addition to the annual amount of interest on bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, however, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of March the amount originally established; provided, however, that such excess shall be determined and the obligation to pay the rental shall accrue only after deducting from said reserve fund the full amount of the rental payable under any contracts executed under the authority of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five as amended and after fully reimbursing the commonwealth as provided in sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing provisos the company is not required to make the full rental payment as above provided for the premises and equipment authorized by this act, the city shall place any amounts so unpaid in its next ensuing tax levy.

SECTION 8. The provisions of chapter five hundred and fifty of the acts of nineteen hundred and seven as amended, and of sections one hundred and ten and one hundred and eleven of chapter forty-one of the General Laws as appearing in the Tercentenary Edition thereof shall not apply to the work authorized by virtue of Part II of this act.

SECTION 9. Upon acceptance of Part II of this act by vote of the city council of the city, approved by the mayor, the department may immediately make such preliminary investigations, surveys and plans as it may deem expedient, and to that end may enter upon any lands and place and maintain marks therein and may make excavations and borings and do all other acts necessary for such investigations and surveys. The department may expend such sums not in excess of ten thousand dollars as it deems necessary

therefor. The expenses incurred in making such preliminary investigations, surveys and plans shall be paid from the loans authorized by chapter seven hundred and forty-one of the acts of nineteen hundred and eleven, but if and when the construction is begun hereunder, the amount so expended shall be transferred and charged to the cost of the premises.

SECTION 10. The department may make contracts for work authorized by virtue of Part II of this act but all contracts subject thereto shall comply with all requirements of the National Industrial Recovery Act and shall be subject to the rules and regulations promulgated pursuant to section two of Part I of this act, and all contracts involving two thousand dollars or more in amount shall be in writing and signed by a majority of the department. No such written contract shall be altered except by an instrument in writing, signed by the contractor and a majority of the department, and also by the sureties on any bond given by the contractor for the completion of the original contract. No such contract and no alteration of any such contract shall be valid or binding on the city unless executed in the manner aforesaid.

SECTION 11. Notwithstanding anything in Part II of this act contained, the department with the approval of the emergency finance board is hereby authorized to construct and equip the premises in accordance with any requirements of the National Industrial Recovery Act or rules and regulations made thereunder and to take any action in its judgment necessary in order to procure as nearly as it deems practicable the maximum amount obtainable under said act as a direct grant and the maximum amount which may be borrowed under the provisions of said act.

SECTION 12. Said contract for use shall not in any respect impair any right which the commonwealth or any political subdivision thereof may at any time have to take the railway properties and rights of the company or any right which the commonwealth or any political subdivision thereof may have under section sixteen of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen or under section seventeen of chapter three hundred and thirty-three of the acts of nineteen hundred and thirty-one. In the event of such taking the compensation to be paid to the company shall not be enhanced by reason of such contract nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 13. The provisions of Part I of this act, so far as inconsistent with Part II, shall not apply to Part II, nor preclude action thereunder. The inclusion of Part II in this act shall not be construed as in any way indicating any intent on the part of the general court to prefer the project authorized under said Part II over any other project which may be submitted to the board by the city of Boston.

SECTION 14. Part II of this act shall take full effect only upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary, provided

that such acceptances, approval and filing occur during the current year, except that section nine shall take effect as provided therein.

* * * * *

Approved July 22, 1933.

Part II. Accepted by City Council August 7, 1933.

Approved by the Mayor August 8, 1933.

Accepted by the Company August 14, 1933.

Part III. Not accepted.

Part IV. Not accepted.

Section 2, Part 1, Amended 1934, ch. 21, s. 1; 1935, ch. 404, s. 1; 1936, ch. 83.

Section 2A, Part 1, Amended 1935, ch. 404, s. 2.

Section 2B, Part 1, Added 1935, ch. 404, s. 3.

Section 3, Part 1, Amended 1935, ch. 404, s. 4.

Section 4, Part 1, Amended 1935, ch. 404, s. 5.

Section 6, Part 1, Amended 1935, ch. 404, s. 6.

See 1935, ch. 213; 1935, ch. 404; Part II, 1937, ch. 159.

1936, Adv. Sh. 2219, 2220.

1934.— CHAPTER 11.

AN ACT RELATIVE TO TEMPORARY LOANS BY CITIES, TOWNS AND CERTAIN DISTRICTS IN ANTICIPATION OF REVENUE.

Whereas, In order to enable cities, towns and districts to borrow on the most favorable terms, it is desirable to provide immediate assurance that municipal notes for temporary loans heretofore or hereafter issued, constitute general obligations of the municipalities issuing the same, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter forty-four of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by striking out, in the fourth line, the words "and expressly made payable therefrom by such vote",— so as to read as follows: *Section 4.* Cities, towns and fire, water, light and improvement districts may, by a majority vote, incur debt for temporary loans in anticipation of the revenue of the financial year in which the debt is incurred, and may issue notes therefor to an amount which for cities and towns shall not exceed in the aggregate the total tax levy of the preceding financial year, together with the bank, corporation, street railway and income tax received during the preceding financial year, exclusive of special or additional assessments or revenue from any other source except payments made by the commonwealth in lieu of taxes on account of property taken for institutions or for metropolitan district purposes. Such notes shall be payable, and shall be paid, not later than one year from their date, and shall not be renewed or paid by the issue of new notes, except as provided in section seventeen.

SECTION 2. Said section four of said chapter forty-four of the General Laws, as amended by section one of this act, shall apply

to the city of Boston, and notes of said city issued thereunder may be renewed in the manner provided in section seventeen of said chapter forty-four.

SECTION 3. Notes now outstanding issued pursuant to said section four by any city, town or district and notes now outstanding issued for temporary loans in anticipation of taxes by the city of Boston are hereby confirmed as and declared to be general obligations which the city, town or district issuing them is liable to pay to the holders thereof from all its available resources and not solely from the revenue of any particular year.

Approved February 13, 1934.

1934.—CHAPTER 21.

AN ACT RELATIVE TO THE SECURING OF THE BENEFITS OF THE NATIONAL INDUSTRIAL RECOVERY ACT BY CITIES AND TOWNS AND FIRE, WATER, LIGHT AND IMPROVEMENT DISTRICTS.

1934.—CHAPTER 86.

AN ACT SUBJECTING TO THE CIVIL SERVICE LAWS CERTAIN PERSONS EMPLOYED BY THE POLICE COMMISSIONER FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-one of the acts of nineteen hundred and six is hereby amended by striking out section eight, as most recently amended by chapter eight of the acts of nineteen hundred and twenty, and inserting in place thereof the following:—*Section 8.* The annual salary of the police commissioner shall be eight thousand dollars, and of the secretary an amount which shall be fixed by the police commissioner with the approval of the governor and council, which shall be paid in monthly instalments by the city of Boston. Subject to the approval of the governor and council, the police commissioner shall be provided with such rooms, which shall be suitably furnished, as shall be convenient and suitable for the performance of his duties, the expense of which shall be paid by the city of Boston.

The city of Boston shall provide all such accommodations for the police of said city as said police commissioner may require. All buildings and property used by said police shall be under control of said police commissioner.

Said police commissioner may employ such clerks, stenographers and other employees as he may deem necessary for the proper performance of the duties of his office. All persons employed under this section shall be subject to chapter thirty-one of the General Laws.

All expenses for the maintenance of buildings, the pay of the police, clerks, stenographers and other employees, and all incidental expenses incurred in the performance of the duties of said commissioner or in the administration of said police shall be paid by the city of Boston upon the requisition of said police commissioner.

SECTION 2. Persons holding office under section one on the effective date of this act shall become classified under chapter thirty-one of the General Laws without taking a civil service examination.

SECTION 3. This act shall take effect upon its passage.

Approved March 14, 1934.

1934.—CHAPTER 140.

AN ACT PROVIDING FACILITIES FOR THE PARKING OF MOTOR VEHICLES NEAR THE STATE HOUSE BY MEMBERS AND OFFICERS OF THE GENERAL COURT.

Be it enacted, etc., as follows:

SECTION 1. The traffic commission of the city of Boston is hereby directed to provide in its regulations prohibiting or restricting the parking and standing of motor vehicles on public ways in said city that they shall not, so far as they relate to the easterly side of Hancock street between Mount Vernon and Derne streets, the southerly side of Derne street between Hancock and Bowdoin streets, and the westerly side of Bowdoin street between Mount Vernon and Beacon streets, apply to motor vehicles owned or used by members and officers of the general court.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1934.

See 1929, ch. 263.

1934.—CHAPTER 145.

AN ACT TO ENLARGE THE POWERS OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON IN RESPECT TO PHYSICAL EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and ninety-five of the acts of nineteen hundred and seven is hereby amended by inserting after the word "equipment" in the eighth line the words:—, athletic wearing apparel,—so as to read as follows:—

Section 1. The school committee of the city of Boston, within the limit of the appropriations for such purposes made by it as herein-after authorized or under existing authority of law, shall, during the summer vacation and such other part of the year as it may deem advisable, organize and conduct physical training and exercises, athletics, sports, games, and play, and shall provide proper apparatus, equipment, athletic wearing apparel and facilities for the same in the buildings, yards and playgrounds under the control of said committee, or upon any other land which it may have the right to use for this purpose.

SECTION 2. Paragraph (d) of section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as most recently amended by section two of chapter one hundred and fifty-three of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "equipment"

in the third and fourth lines, the words:—, athletic wearing apparel,— so as to read as follows:—

(d) For organizing and conducting physical training and exercises, athletics, sports, games and play, and for providing apparatus, equipment, athletic wearing apparel and facilities for the same in buildings, yards and playgrounds under the control of said committee, or upon any other land which the committee may have the right to use for this purpose under the provisions of chapter two hundred and ninety-five of the acts of nineteen hundred and seven and any acts in addition thereto and in amendment thereof: for the financial year ending on the thirty-first day of December, nineteen hundred and twenty-six and for each financial year thereafter, fifteen cents.

SECTION 3. This act shall take effect upon its passage.

Approved April 13, 1934.

1934.—CHAPTER 178.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON.

Not accepted.

1934.—CHAPTER 185.

AN ACT TO PROVIDE FURTHER MEANS OF ADVERTISING BY THE CITY OF BOSTON THAN IS NOW PROVIDED BY THE CITY RECORD.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section twenty-nine and inserting in place thereof the following:—*Section 29.* Within ninety days after the passage of this act and thereafter there shall be published at least once a week and distributed and sold under the direction of the mayor and on terms to be fixed by the city council and approved by the mayor a paper to be known as the "City Record." All advertising with reference to the sale of property for non-payment of taxes shall appear exclusively in the City Record. All other advertising, whether required by law or not, with reference to the purchase or taking of land, contracts for work, materials or supplies, and the sale of bonds, shall appear in said paper, and in such newspaper or newspapers as the mayor, in his discretion, may order; a list of all contracts of one thousand dollars or more, as awarded, with the names of bidders, and the amount of the bids; appointments by the mayor; and changes in the number and compensation of employees in each department, shall be published in the City Record. Failure to publish in such newspaper or newspapers as the mayor may order shall not invalidate any purchase, contract or sale made or action taken by the city. The proceedings of the city council and school committee together with all communications from the mayor, shall be published in the City Record.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1934.

1934.—CHAPTER 201.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR MUNICIPAL PURPOSES.

(Limit of appropriations for municipal purposes for 1934. Power to borrow for welfare, etc.; increased expenditures in anticipation of appropriations.)

See 1885, ch. 266, s. 6.

1934.—CHAPTER 210.

AN ACT RELATIVE TO CERTAIN RESTRICTIONS CONCERNING STONE LETTERING AND HEIGHT IN THE BOSTON ZONING LAW, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by striking out clause (31) and inserting in place thereof the following:—

(31) Stone yard, cutting or lettering;

SECTION 2. Paragraph numbered (1) of section sixteen of said chapter four hundred and eighty-eight is hereby amended by inserting after the word “back” in the sixth line the words:—ten feet,—by striking out in the eighth line the words “ten feet”,—and by inserting after the word “of” in the ninth line the words:—ten feet above,—so as to read as follows:—

(1) In a thirty-five foot or forty foot district a single-family dwelling or building for recreational use may be built to a height of three and one half stories but not exceeding forty-five feet, and an educational, religious, philanthropic or other institutional building may be built to a height of five stories, but not exceeding sixty-five feet, provided in each case the building sets back ten feet from each street and lot line, in addition to other yard and set-back requirements, plus one foot for each foot of such height in excess of ten feet above the height limit; and a telephone exchange office may be built to a height of five stories but not exceeding sixty-five feet, provided that the part of the building above the height limit sets back ten feet from each street and lot line, in addition to other yard and set-back requirements.

SECTION 3. This act shall take effect upon its passage.

Approved May 16, 1934.

1934.—CHAPTER 220.

AN ACT PROVIDING FOR MORE PROMPT ACTION BY THE CITY COUNCIL OF BOSTON ON LOAN ORDERS PRESENTED BY THE MAYOR.

Be it enacted, etc., as follows:

Section two of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended by chapter one hundred and thirteen of the acts of nineteen hundred and thirty-three, is hereby further amended by adding at the end thereof the following:—If a petition signed by six members of the council requesting that

action be taken forthwith upon a loan order presented by the mayor is filed in the office of the city clerk not earlier than fourteen days after its presentation, action shall be taken by the yeas and nays on the question of the adoption of such loan order at the next meeting of the council, or, if one vote has already been taken thereon, at the next meeting after the expiration of the required interval after such vote; provided, that such action thereon has not sooner been taken or such loan order has not been withdrawn by the mayor.

Approved May 17, 1934.

1934.—CHAPTER 227.

AN ACT RELATIVE TO EXECUTIVE DEPARTMENTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section five, as affected by chapter two hundred and twenty-two of the Special Acts of nineteen hundred and nineteen and chapter three hundred and eighty-nine of the acts of nineteen hundred and twenty-eight, and inserting in place thereof the following:— *Section 5.* Except as otherwise provided in this act, the organization, powers and duties of the executive departments of the city shall remain as constituted at the time when this section takes effect; but the mayor and city council at any time may by ordinance reorganize, consolidate or abolish, in whole or in part, departments whether created on or before or subsequent to the first Monday of February in the year nineteen hundred and ten, including the transit department; transfer the duties, powers and appropriations of one department to another in whole or in part; and establish new departments; and may increase, reduce, establish or abolish salaries of heads of departments, or members of boards. Nothing in this act shall authorize the abolition or the taking away of any of the powers or duties as established by law of the school committee, the board of commissioners of school buildings, the department of school buildings, the election department or any department in charge of an official or officials appointed by the governor.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1934.

1934.—CHAPTER 228.

AN ACT RELATIVE TO ANNUAL INCREMENTS AND SLIDING SCALES OF SALARIES IN THE CITY OF BOSTON AND COUNTY OF SUFFOLK.
(Power to reinstate annual increments.)

1934.—CHAPTER 268.

AN ACT PROVIDING FOR CONSTRUCTION OF A CAR STOP IN THE EXTENSION OF THE BOYLSTON STREET SUBWAY UNDER BEACON STREET IN THE CITY OF BOSTON.

Not accepted.

1934.—CHAPTER 271.

AN ACT ENLARGING THE SCOPE OF THE LAWS REGULATING PLUMBING IN THE CITY OF BOSTON TO INCLUDE WATER SUPPLY SYSTEMS AND MAKING CERTAIN OTHER CHANGES IN SUCH LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and twelve of chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by inserting after the first paragraph the following definition:—

“Plumbing”, when used with respect to a trade or calling, shall mean the art of installing in buildings the pipes, fixtures and other apparatus for bringing in the water supply and removing liquid and water carried wastes; and, when otherwise used, shall include the water supply distributing pipes, the fixtures and fixture traps and the soil, waste and vent pipes.

SECTION 2. Section one hundred and seventeen of said chapter five hundred and fifty is hereby amended by striking out, in the eighth and ninth lines, the words “; and in such” and inserting in place thereof the words:—, and a combination sink and tray may be connected through one two-inch half S brass trap; and in either,— so that the first paragraph will read as follows:— The waste pipe of every independent sink, basin, bath-tub, water-closet, slop-hopper, urinal or other fixture shall be furnished with a separate trap, which shall be placed as near as practicable to the fixture which it serves. A sink and set of three wash-trays may be connected to the house drain through one five inch round trap, when the outlet of the sink is not over three feet six inches from the nearest outlet from the wash-trays, and a combination sink and tray may be connected through one two-inch half S brass trap; and in either case the trap shall be above the floor. The outlet from each fixture shall enter the trap separately. Not more than four wash-bowls or sinks in a continuous line may be connected to the house drain through one five inch round trap. Two or more fixtures on the same level with not more than two feet of waste pipe and connecting into the soil or waste pipe not more than eighteen inches below the top water line of the trap, shall not require other vent than the continuation of the soil or waste pipe full size for its whole length. Lateral branches of soil or waste pipe, if more than twenty feet in length, shall be extended through the roof undiminished in size. All connections on lead waste and back air pipes and of lead pipes to brass ferrules and soldering nipples shall be full size wiped soldered branch, round or flange joints. Soil and waste pipes shall have proper T-Y or Y branches for all fixture connections. No connection to lead bends for water-closets or slop sinks shall be permitted, except the required back air pipe where a continuous vent is not practicable.

SECTION 3. Section one hundred and twenty of said chapter five hundred and fifty is hereby amended by striking out, in the second line, the word “or” and inserting in place thereof a comma.— and by inserting after the word “cistern” in the second and third lines the words:— or approved flush valve,— so as to read as follows:— *Section 120.* Every water-closet or line of water-closets

shall be supplied with water from a tank, cistern or approved flush valve, and shall have a flushing pipe of not less than one and one quarter inches in diameter. Privy vaults shall be of brick and cement of a capacity of not less than fifty cubic feet, of easy access, convenient to open, and clean, and water tight. The inside shall be not less than two feet from the next lot and from any public or private way.

SECTION 4. This act shall take effect upon its passage.

Approved June 7, 1934.

1934.—CHAPTER 280.

AN ACT RELATIVE TO THE REGULATION AND LIMITATION OF HACKNEY CARRIAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and ninety-two of the acts of nineteen hundred and thirty is hereby amended by striking out section four, as amended by chapter three hundred and six of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following:—*Section 4.* Said police commissioner shall annually grant hackney licenses in said city to suitable persons, firms and corporations who are owners of vehicles known as hackney carriages, if such person, or one member of such firm, resides in such city, or if the principal place of business of such corporation is in such city; provided, that, at any time within one year after the expiration of a license under this section, the holder thereof shall be entitled as of right, upon payment of the proper fee, to a renewal of such license, unless after a hearing before said commissioner it appears that he has good cause to refuse to issue the same. Licenses granted under this section shall be assignable, subject to the approval of said commissioner, and shall be subject to such other terms, conditions and limitations, and be issued subject to the payment of such fees, as said commissioner shall from time to time prescribe. Said commissioner shall also from time to time fix maximum and minimum rates to be charged by said licensees for use of such vehicles.

Said commissioner shall, as soon as may be, fix a limit for the number of licenses to be issued under this section, which limit shall be based upon the number of licenses then issued and outstanding but shall not be in excess of fifteen hundred and twenty-five, and he may from time to time, after reasonable notice and a hearing, decrease the limit so fixed, but in no event to a number less than nine hundred.

If an applicant is refused a license hereunder by reason of the fact that the maximum number of licenses limited hereunder has been issued, the department of public utilities, on petition of such applicant, may, after a hearing, determine that public convenience and necessity require a higher limit than that fixed by said commissioner or previously established by said department and shall establish the limit so required, in which case the limit set by said department shall be considered final until again changed as herein provided.

SECTION 2. This act shall take effect upon its passage.

Approved June 12, 1934.

1934.—CHAPTER 289.

AN ACT AUTHORIZING THE PARTIAL RESTORATION OF SALARIES AND COMPENSATION OF CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON AND OF THE COUNTY OF SUFFOLK RECENTLY REDUCED.

Not accepted.

1934.—CHAPTER 341.

AN ACT DIRECTING THE LAYING OUT AND CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF A TRAFFIC CIRCLE NEAR THE NORTHERLY END OF THE NEPONSET RIVER BRIDGE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby directed to lay out and construct over public and private lands and public and private ways under the provisions of chapter eighty-one of the General Laws, except as otherwise provided in this act, and in a location to be determined by the department, a traffic circle near the northerly end of the Neponset River bridge at the intersection of the Gallivan boulevard, the Old Colony boulevard and Neponset avenue in the city of Boston, at a cost not to exceed ninety thousand dollars.

SECTION 2. The department may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such public or private lands, cemeteries, public parks or reservations, or parts thereof or rights therein, or lands or rights therein under the control of the metropolitan district commission or public ways, as it may deem necessary for carrying out the provisions of section one, including such land or rights in land as may be necessary for the construction of any necessary drainage outlets: provided, that no damages shall be paid for public lands, parks, parkways, reservations or public ways so taken.

SECTION 3. The cost of laying out and constructing said circle and the land takings for the same, including any damages awarded or paid on account of any taking of land or property therefor, or any injury to the same, and any sums so paid for lands or rights purchased, including also all other expenses incurred in carrying out the provisions of section one, shall be deemed to be the cost of the work therein authorized.

SECTION 4. The entire cost of the work authorized by section one shall be paid by the commonwealth from such appropriations, not exceeding ninety thousand dollars, as may hereafter be made from the Highway Fund.

SECTION 5. When the work authorized by section one shall have been completed, the circle shall become a city way and shall be kept in good condition and repair by the city of Boston, and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply to it. The department is hereby authorized on behalf of the commonwealth to transfer to said city title to all lands and the rights therein taken or acquired for the laying out and or construction of said circle.

SECTION 6. When the work authorized by section one shall have been completed, the title to or control of such lands or rights therein taken or acquired therefor as in the opinion of the department are no longer needed for highway purposes may be transferred by the department to the city of Boston.

Approved June 27, 1934.

1934.—CHAPTER 342.

AN ACT PROVIDING FOR THE REPAIR AND STRENGTHENING OF THE CHELSEA NORTH BRIDGE OVER THE MYSTIC RIVER BY THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to repair and strengthen the Chelsea North bridge over the Mystic river between said city and the city of Chelsea at a cost not exceeding two hundred and seventy thousand dollars.

SECTION 2. Fifty per cent of the cost of the work shall, subject to appropriation, be paid by the commonwealth from the Highway Fund; provided, that all plans and contracts prepared and executed with respect to the work hereunder shall have been approved by the state department of public works. Of the balance of said cost, sixty-two and one half per cent shall be paid by the city of Boston and thirty-seven and one half per cent by the city of Chelsea.

SECTION 3. From time to time during the progress of the work hereunder, there shall be paid to the city of Boston from the treasury of the commonwealth, on the request of the city auditor of said city of Boston and with the approval of the state department of public works, such sums as said city auditor may require within said limit of the commonwealth's share of the cost, and the city of Chelsea shall, on like request, pay to said city of Boston such sums as said city auditor may require within the limit of the share of said city of Chelsea of said cost.

SECTION 4. To meet the payment required by this act of the city of Boston and of the city of Chelsea, each such city may borrow outside its limit of indebtedness such sums as may be necessary, not exceeding, in the aggregate, the amount of such payment, and may issue its notes or bonds therefor, which shall bear on their face the name of the city and the designation Chelsea North Bridge Loan, Act of 1934. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not exceeding ten years from their dates. Except as otherwise provided by this section, any indebtedness incurred hereunder by the city of Boston shall be subject to the laws relating to the incurring of debt by said city, and any indebtedness incurred hereunder by the city of Chelsea shall be subject to the provisions of chapter forty-four of the General Laws.

SECTION 5. No work shall be begun hereunder, nor shall any contract for said work be made, until an appropriation shall have been made by the general court sufficient to cover the commonwealth's share of the cost hereunder and said cities of Boston and Chelsea shall have effected their respective loans authorized by the preceding section.

Approved June 27, 1934.

See 1911, ch. 581.

1934.—CHAPTER 353.

AN ACT AUTHORIZING THE CANCELLATION OF CERTAIN CLAIMS OR DEBTS AND THE ABATEMENT OF CERTAIN ASSESSMENTS OR TAXES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The collector of the city of Boston may, at any time, give notice in writing to the auditor of said city that a claim which accrued, or a debt, assessment or tax which became due and payable, to said city not less than seven years prior to his giving said notice, is in his opinion uncollectable or that collection would not be advisable because of the expense which it might entail. The auditor upon receipt of such notice may order the cancellation of such claim or debt or the abatement of such assessment or tax, which order, if approved by the mayor of said city, shall be delivered to the collector in the case of a claim or debt or to the board or department which levied such assessment or tax in the case of an assessment or tax; whereupon the collector or such board or department, as the case may be, shall forthwith cancel the claim or debt or abate the assessment or tax described in such order. Upon the cancellation of such claim or debt or the abatement of such assessment or tax the collector, to the extent that he may have been charged with the collection thereof, shall be discharged from further obligation to collect the same; provided, however, that nothing in this act shall authorize the abatement of any assessment or tax which is a lien on real estate; and provided, further, however, that nothing herein contained shall affect the provisions of section eight of chapter fifty-eight and sections seventy-one and seventy-two of chapter fifty-nine of the General Laws (Tercentenary Edition).

SECTION 2. This act shall take effect upon its passage.

Approved June 29, 1934.

See 1875, ch. 176.

1934.—CHAPTER 380.

AN ACT AUTHORIZING THE CONSTRUCTION OF AN OVERPASS OVER HUNTINGTON AVENUE AT OR NEAR ITS INTERSECTION WITH RIVERWAY AND JAMAICAWAY IN BOSTON AND BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby authorized to construct an overpass for vehicular traffic over Huntington avenue at or near its intersection with the Riverway and Jamaica way in the city of Boston and the town of Brookline with such connecting roadways and alterations to existing roadways in said city and in said town as the department may deem necessary and to make necessary alterations to street railway tracks and to make such changes as it may deem necessary in the location of Muddy river and in the bridge carrying Huntington avenue over said river, together with necessary extensions of said bridge.

SECTION 2. The department may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such public or

private lands and enter upon and occupy such public lands as it may deem necessary for carrying out the provisions of this act.

SECTION 3. The cost of the work authorized in section one, including any damages awarded or paid on account of any taking of land or property, or any injury to the same, and any sums paid for lands or rights purchased, shall not exceed in the aggregate three hundred and twenty-five thousand dollars. The department may make a contract or contracts for said work not exceeding the amount herein authorized if the federal authorities give proper assurance that the federal government will furnish the funds necessary to meet the cost of the construction involved in the work, notwithstanding the provisions of section twenty-seven of chapter twenty-nine of the General Laws, as appearing in the Tercentenary Edition.

SECTION 4. So much of the cost of the work herein authorized as represents the cost of land takings, including any damages awarded or paid on account of any taking of land or property, or any injury to the same, and any sums paid for lands or rights purchased, shall be paid by the municipality wherein such land and/or property is situated. This cost shall, in the first instance, be paid by the commonwealth from the appropriation for the construction of state highways and whenever any payment is made the department shall ascertain and certify to the state treasurer the amount due from each municipality aforesaid to meet its share of the amount then certified. The amounts due as aforesaid from said municipalities shall be assessed and collected by the state treasurer in the apportionment and assessment of the annual state tax and shall be credited on the books of the commonwealth to the Highway Fund.

SECTION 5. When the work authorized herein shall have been completed, so much of the overpass, bridge over Muddy river and connecting ways as lie within the city of Boston shall be maintained by said city, and so much thereof as lie in the town of Brookline shall be maintained by said town; and all land or rights in land acquired by the department in connection with the work shall be conveyed by the department to the municipalities within which such land lies.

Approved June 30, 1934.

Section 3, Amended 1935, ch. 368.

1935.—CHAPTER 19.

AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO EXPENDITURES BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON FOR ATHLETIC PURPOSES.

(Repeals 1931, ch. 111.)

1935.—CHAPTER 74.

AN ACT CHANGING THE PERIOD OF THE OPERATING YEAR IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine is hereby amended by striking out, in the tenth line, the word "June" and

inserting in place thereof the word:—March,—so as to read as follows:—*Section 11.* If at any time during the operation of the tunnel the receipts from tolls and charges as established under section nine or twelve are insufficient to meet the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, the treasurer of the city is hereby authorized and directed to make payments on account of the same from any funds in the treasury of the city, including temporary tax loan funds but excluding trust funds. If for any year ending on the last day of March the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, exceed the receipts from such tolls and charges, the said treasurer shall notify the assessors of the city of the amount of such excess and the same amount shall be added to the amount to be raised by the city in the next annual tax levy. Any such amount shall be in excess of the limit imposed by law on the amount to be raised for municipal purposes by taxation in said city.

SECTION 2. Section twelve of said chapter two hundred and ninety-seven, as amended by section five of chapter two hundred and eighty-seven of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out, in the first line, the word “June” and inserting in place thereof the word:—March,—so as to read as follows:—*Section 12.* Whenever as of the last day of March in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, excluding for this purpose interest and sinking fund requirements in respect of the said three million dollars of bonds but including sinking fund requirements in respect of the said sixteen million dollars of bonds on a basis of the payment of all of the said sixteen million dollars of bonds at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven, exclusive of any amounts so raised for interest or sinking fund requirements in respect of the said three million dollars of bonds. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, exclusive of amounts for interest and sinking fund requirements in respect of the said three million dollars of bonds, the public works department shall, subject to the provisions of section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs; provided, however, that until all of the said three million dollars of bonds shall become payable, whether at their final maturity or when called as hereinbefore provided, any such excess not so needed for such reimbursement shall be paid into the said supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said three million dollars of bonds. In case it shall be determined that all of such excess cannot be so paid without impairing rights secured by the constitution of the United States to holders of any of the said sixteen million dollars of bonds heretofore sold and paid for, then such part only of such excess as can be so paid without such impairment shall be paid into the said supplemental sinking fund as hereinbefore provided. If the amounts

so directed to be contributed to the said supplemental sinking fund shall be more than necessary to meet the interest on the said three million dollars of bonds and to retire the principal thereof at the expiration of twenty years after their respective dates, the public works department shall establish the said reduced schedule as hereinbefore provided.

SECTION 3. This act shall take effect upon its passage.

Approved March 14, 1935.

1935.—CHAPTER 99.

AN ACT RELATIVE TO THE DATES AS OF WHICH AMOUNTS TO BE PAID OR REPAID ON ACCOUNT OF DEFICITS IN THE COSTS OF OPERATION OF THE BOSTON ELEVATED RAILWAY COMPANY SHALL BE DETERMINED.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, as amended by chapter two hundred and forty-four of the Special Acts of nineteen hundred and nineteen, is hereby further amended by inserting after the word "thereafter" in the second and third and in the thirteenth lines the words:—to and including the last day of June in the year nineteen hundred and thirty-four, or as of the last day of March in any year after the year nineteen hundred and thirty-four,—so as to read as follows:—*Section 11.* If, as of the last day of June in the year nineteen hundred and nineteen, or the last day of any June thereafter to and including the last day of June in the year nineteen hundred and thirty-four, or as of the last day of March in any year after the year nineteen hundred and thirty-four, the amount remaining in the reserve fund shall be insufficient to meet the deficiency mentioned in section nine, it shall be the duty of the trustees to notify the treasurer and receiver general of the commonwealth of the amount of such deficiency, less the amount, if any, in the reserve fund applicable thereto, and the commonwealth shall thereupon pay over to the company the amount so ascertained. Pending such payment it shall be the duty of the trustees to borrow such amount of money as may be necessary to enable them to make all payments, including dividend payments, as they become due. If, as of the last day of any June thereafter to and including the last day of June in the year nineteen hundred and thirty-four, or as of the last day of March in any year after the year nineteen hundred and thirty-four, during the period of public operation, the reserve fund shall exceed the amount originally established, the trustees shall apply the excess, so far as necessary, to reimbursing the commonwealth for any amounts which it may have paid to the company under the provisions hereof, and the commonwealth shall thereupon distribute the amount so received among the cities and towns in which the company operates, in proportion to the amounts which they have respectively been assessed as provided in section fourteen.

In order to meet any payment required of the commonwealth under the provisions of this section the treasurer and receiver general may borrow at any time, in anticipation of the assessments to be levied upon the cities and towns, such sums of money as may be

necessary to make said payments, and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient.

SECTION 2. This act shall take effect upon its acceptance by the Boston Elevated Railway Company by vote of its board of directors and upon the filing of a certificate of such acceptance with the state secretary, provided such acceptance and filing occur before April thirtieth of the current year.

Approved March 21, 1935.

Accepted by the Company, April 11, 1935.

1935.—CHAPTER 100.

AN ACT PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS UNDER WHICH THE BOSTON ELEVATED RAILWAY COMPANY IS USING CERTAIN ALTERATIONS IN AND EXTENSIONS TO THE BOYLSTON STREET SUBWAY AND MAKING CERTAIN CHANGES RELATIVE TO PAYMENTS IN CONNECTION WITH SUCH USE.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five, as amended by section one of chapter three hundred and ninety-four of the acts of nineteen hundred and thirty, is hereby further amended by striking out all after the word "aforesaid" in the eighty-second* line down to and including the word "levy" in the one hundred and eleventh† line and inserting in place thereof the following:— The rental shall be payable annually on the twenty-fifth day of July in each year to and including the year nineteen hundred and thirty-four and on the twenty-fifth day of April in each year thereafter. Any alteration or extension made under this act shall be deemed a part of the Boylston Street subway. Such contract for use shall provide that the company shall pay to the city of Boston for each full year ending with the last day of June to and including the last day of June, nineteen hundred and thirty-four, and ratably for the nine months period commencing on July first, nineteen hundred and thirty-four and ending with the last day of March, nineteen hundred and thirty-five, and for each full year ending with the last day of March thereafter, and ratably for any portion of a year, an annual rental, which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of such alterations and extensions in addition to the annual amount of interest on the subway bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, however, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of June in any year to and including the year nineteen hundred and thirty-four or on the last day of March in any year thereafter, the amount originally established, such excess to be determined

* The seventy-fourth line in this compilation.

† The ninety-ninth line in this compilation.

and obligation to pay such rental to accrue in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing proviso the company does not make the full rental payments as above provided, the commonwealth shall, during the term of said contract and until the subway bonds issued by the city of Boston under this section shall have been paid, or a sinking fund accumulated sufficient to pay the same at maturity, pay to the city of Boston on or before August first in each year to and including the year nineteen hundred and thirty-four and on or before May first in each year thereafter, one half of any amounts so unpaid, and the city of Boston shall place the other half in its next ensuing tax levy.

SECTION 2. Said chapter three hundred and forty-one is hereby further amended by striking out section three, as amended by section two of said chapter three hundred and ninety-four, and inserting in place thereof the following:—*Section 3.* If, as of the last day of June in any year to and including the year nineteen hundred and thirty-four or as of the last day of March in any year thereafter during the period of public operation of the company under the provisions of said chapter one hundred and fifty-nine, the reserve fund provided for in said chapter shall, after deducting the amount of the rental herein provided for, exceed the amount originally established, the trustees of the Boston Elevated Railway Company shall apply the excess, so far as necessary, to reimburse the commonwealth for all amounts paid by the commonwealth to the city of Boston under the provisions of section two of this act, and in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine.

SECTION 3. Said chapter three hundred and forty-one is hereby further amended by striking out section five, inserted by section three of said chapter three hundred and ninety-four, and inserting in place thereof the following:—*Section 5.* Upon and after such termination of public operation, the company shall, on or before the thirtieth day of April in each year, report to the state treasurer the amount, if any, by which said reserve fund on the preceding thirty-first day of March, after deducting the amount of the rental herein provided for, exceeded the amount originally established, and the company shall thereupon pay over such excess in so far as necessary to reimburse the commonwealth for all amounts paid after such termination of public operation by the commonwealth to the city of Boston under the provisions of section two of this act. If the state treasurer or the attorney general is not satisfied as to the correctness of said report, either may, at any time within sixty days after its receipt, petition the department of public utilities for a determination of such excess and said department shall determine the same. If the amount of such excess, so determined, is greater than the amount originally reported, the balance shall be paid by the company to the commonwealth within twenty days from the date of such determination.

SECTION 4. The acceptance of this act by the company and the city as hereinafter provided, shall constitute an agreement on the part of the city and the company to execute a contract modifying in accordance with the provisions of this act, the existing contract

between the city and the company for the use of the alterations and extensions of the Boylston Street subway made pursuant to the provisions of said chapter three hundred and forty-one as amended by said chapter three hundred and ninety-four.

SECTION 5. This act shall take effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon filing of certificates of such acceptances with the state secretary; provided that such acceptances, approval and filing occur before April thirtieth of the current year.

Approved March 21, 1935.

Accepted by City Council, April 1, 1935.

Approved by the Mayor, April 2, 1935.

Accepted by the Company, April 11, 1935.

Acceptances filed.

1935.—CHAPTER 151.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO INCUR LIABILITIES AND MAKE EXPENDITURES IN ANTICIPATION OF APPROPRIATIONS.

See 1885, ch. 266, s. 6.

1935.—CHAPTER 153.

AN ACT MAKING RESIDENCE IN THE CITY OF BOSTON A NECESSARY QUALIFICATION FOR APPOINTMENTS HEREAFTER MADE TO THE POLICE FORCE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section twelve of chapter two hundred and ninety-one of the acts of nineteen hundred and six is hereby amended by adding thereto the following new paragraph:—

No person shall be appointed as an officer or member of the Boston police force unless he has been a resident of said city for at least two years immediately preceding the date of his appointment.

SECTION 2. This act shall take effect upon its passage and shall apply only to appointments made thereafter.

Approved April 10, 1935.

1935.—CHAPTER 284.

AN ACT RELATIVE TO APPROPRIATIONS BY THE CITY OF BOSTON FOR SCHOOL AND OTHER MUNICIPAL PURPOSES.

(Relates to appropriations for 1935.)

See 1919 (S) ch. 206, s. 1.

1935.—CHAPTER 312.

AN ACT AUTHORIZING THE USE OF THE SUMNER TUNNEL IN THE CITY OF BOSTON WITHOUT TOLL OR CHARGE BY DRIVERS OF VEHICLES OWNED BY THE BOSTON PROTECTIVE DEPARTMENT.

Be it enacted, etc., as follows:

Section nine of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, as amended by section three of chapter two hundred and eighty-seven of the acts of nineteen

hundred and thirty-two, is hereby further amended by inserting after the word "city" in the fortieth line the words:—or by the Boston Protective Department,—so that the last sentence will read as follows:—The said public works department shall collect such tolls and charges from the driver of each vehicle using said tunnel, and shall daily pay the same over to the city Collector of Boston; provided, that no toll or charge shall be collected from the drivers of vehicles owned by the city or by the Boston Protective Department or from drivers of ambulances.

Approved May 29, 1935.

1935.—CHAPTER 319.

AN ACT EMPOWERING THE BOSTON TRAFFIC COMMISSION TO COLLECT FEES FOR THE ISSUANCE OF LOADING ZONE PERMITS, SO CALLED.

Be it enacted, etc., as follows:

Chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine is hereby amended by inserting after section two the following new section:—*Section 2A.* Upon the issuance by the commission of a permit for a loading zone, so called, under the provisions of the preceding section, it shall collect a fee computed at the rate of fifty cents for each foot of curbing abutting on said zone, but in no event less than ten dollars. Such permit shall expire one year from the date of its issue, and may be revoked by the commission for a violation of any provisions of the rules and regulations relating to such zones and made under authority of this act.

Approved June 3, 1935.

1935.—CHAPTER 355.

AN ACT RELATIVE TO THE SALARIES OF THE MEMBERS AND THE SECRETARY OF THE LICENSING BOARD FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and ninety-one of the acts of nineteen hundred and six, as affected by chapter seventy-six of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the second line, the words "four thousand" and inserting in place thereof the words:—fifty-five hundred,—by striking out, in the third line, the words "thirty-five hundred" and inserting in place thereof the words:—five thousand,—and by striking out, in the fourth line, the words "twenty-five hundred" and inserting in place thereof the words:—five thousand,—so as to read as follows:—*Section 2.* The annual salary of the chairman of said board shall be fifty-five hundred dollars, that of each of the other two members five thousand dollars, and that of the secretary five thousand dollars. Such salaries shall be paid in monthly instalments by the city of Boston. Subject to the approval of the governor and council, said board shall be provided with such rooms, in the headquarters of the police commissioner hereinafter named, as shall be convenient and suitable for the performance of its duties, the rent of which shall be paid by the city of Boston.

Said rooms shall be suitably furnished and equipped, and the expense therefor shall be paid by said city upon requisition of said board.

SECTION 2. Nothing in this act shall affect the provisions of chapter three hundred and eighty-seven of the acts of nineteen hundred and nine.

SECTION 3. This act shall take effect upon its passage.

Approved June 14, 1935.

1935.—CHAPTER 368.

AN ACT MAKING FURTHER PROVISIONS FOR THE CONSTRUCTION OF AN OVERPASS OVER HUNTINGTON AVENUE AT OR NEAR ITS INTERSECTION WITH RIVERWAY AND JAMAICAWAY IN BOSTON AND BROOKLINE.

(Deals with assurance of Federal Funds.)

1935.—CHAPTER 404.

AN ACT RELATIVE TO THE SECURING OF THE BENEFITS OF THE NATIONAL INDUSTRIAL RECOVERY ACT AND THE EMERGENCY RELIEF APPROPRIATION ACT OF 1935 BY COUNTIES, CITIES, TOWNS AND DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section two of Part one of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended by section one of chapter twenty-one of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "Any" in the first line the words:—county, except Suffolk or Nantucket, if authorized by the county commissioners, or any,—by inserting after the word "Act" in the eighth line the words:—and in any useful public project authorized under the joint resolution of congress known as the Emergency Relief Appropriation Act of 1935,—by inserting after the words "Title II" in the twelfth and in the twenty-first lines, in each instance, the words:—or under said joint resolution, as the case may be,—by inserting after the words "Title II" in the fourteenth line the words:—or of said joint resolution, as the case may be,—by inserting after the word "such" in the eighteenth line, after the word "Each" in the eighty-first line, after the word "such" in the eighty-fourth line, in the ninetieth line and in the ninety-fourth line, in each instance, the word:—county,—and by inserting after the word "indebtedness" in the eighty-fifth line the following:—, if any,—so as to read as follows:—*Section 2.* Any county, except Suffolk or Nantucket, if authorized by the county commissioners, or any city or town, including Boston and Worcester, if authorized by a two thirds vote as defined in section one of chapter forty-four of the General Laws, with the approval of the mayor of such a city, may

engage in any public works project included in any "comprehensive program of public works" prepared under section two hundred and two of Title II of the National Industrial Recovery Act and in any useful public project authorized under the joint resolution of congress known as the Emergency Relief Appropriation Act of 1935, but only in case such project is approved, as hereinafter provided, by the board and by the governor and in case the proper federal authorities have approved a grant therefor of federal money under section two hundred and three of said Title II or under said joint resolution, as the case may be. Such projects, so approved, shall be carried out in all respects subject to the provisions of said Title II or of said joint resolutions, as the case may be, and to such terms, conditions, rules and regulations, not inconsistent with applicable federal laws and regulations, as the board may establish, with the approval of the governor, to ensure the proper execution of such projects. Any such county, city or town may accept and use for carrying out any project so approved any grant, or any grant and loan, of federal funds under section two hundred and three of said Title II or under said joint resolution, as the case may be; and, for the purpose only of carrying out such project, may borrow from the United States of America or other sources, or both, such sums as may be fixed by the board as hereinafter provided, and may issue bonds, notes or other forms of written acknowledgment of debt for such terms and carrying interest at rates not exceeding such rates as may be fixed by the board as hereinafter provided. Any city or town may borrow hereunder for projects for which borrowings are authorized by section seven of said chapter forty-four and for other projects for which borrowings are not authorized by section eight of said chapter, amounts not exceeding in the aggregate one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount within its debt limit, as determined in accordance with said section ten, not then borrowed or authorized by such city or town to be borrowed; and any city or town may borrow hereunder for projects of any class for which borrowings are authorized by section eight of said chapter, water projects being treated as a single class for the purposes hereof, amounts not exceeding in the aggregate one per cent of the last preceding assessed valuation of such city or town, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount authorized by said section eight for such class of projects not then borrowed or authorized by such city or town to be borrowed, and no borrowing hereunder for any project for which borrowings are authorized by said section eight shall be reckoned in determining the borrowing capacity of such city or town under said section ten. For the purposes of the foregoing sentence, the limit of indebtedness of the city of Boston shall be computed in accordance with the provisions of section ten of said chapter forty-four as provided in section two of chapter two hundred and twenty-five of the acts of nineteen hundred and thirty-one. In fixing the amounts

that may be borrowed hereunder for projects for which borrowings are not authorized by said chapter forty-four, the board shall be guided by the above limitations as applied to the provisions of said chapter applicable to like projects. The board shall fix the terms of and maximum rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder; which terms and rates of interest, in case of obligations to be issued to the United States of America, shall be fixed in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities. All the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, that no loan shall be authorized unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the city or town has been appropriated or voted to be raised by taxation, shall apply to any borrowing hereunder by any city or town, including Boston and Worcester, except as hereinbefore provided and, in respect of any borrowing from the United States of America, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations. Each county, city or town seeking the approval of any projects by the board shall submit to it all information required with respect to the financial condition of such county, city or town, its outstanding indebtedness within and without its limit of indebtedness if any, the estimated cost of the project, the alleged necessity therefor, and the proposed method of financing the same. In granting or withholding its approval, the board shall take into consideration, among other things, the necessity of the proposed project, the ability of such county, city or town to finance the same, the extent to which the carrying out of the project will tend to relieve unemployment and the extent to which the maintenance of the project when completed will tend to increase or decrease the annual expenditures of such county, city or town and to increase or decrease the tax burden upon its inhabitants.

SECTION 2. Section two A of said Part one of said chapter three hundred and sixty-six is hereby amended by inserting after the word "federal" in the fourth line the following:—, county,— so as to read as follows:— *Section 2A.* All projects for the construction, reconstruction or resurfacing of roads and the construction of sewers shall be done by human labor, except in so far as machinery is, in the opinion of the federal, county, city or town officer or department having charge of the project, reasonably necessary, and the wages for such labor shall not be less than the prevailing rate of wages as established by the federal government.

SECTION 3. Said Part one of said chapter three hundred and sixty-six is hereby further amended by inserting after section two A the following new section:— *Section 2B.* The county commissioners of any county, the mayor of any city, the board of selectmen of any town, or the governing body of any district, may submit to the board any such proposed public works project or useful public project, in such form as the board may by rule or regulation require. If, in the opinion of the board after a hearing and careful investigation, any such project is in the public interest and otherwise meets the requirements of section two of this act, it shall approve the same

and thereupon such project shall be submitted to the governor for his approval. Such projects so approved shall, as soon as may be, be submitted to the proper federal authorities for their approval. This section shall not be construed as prohibiting the submission of such projects to the proper federal authorities, in the form required by applicable federal regulations, for preliminary study prior to approval by the board and the governor.

SECTION 4. Section three of said Part one of said chapter three hundred and sixty-six is hereby amended by inserting after the article "a" in the first line the word:— county,— and by inserting after the word "such" in the seventh line the word:— county,— so as to read as follows:— *Section 3.* Any officer or department of a county, city or town charged with the duty of carrying out any project so approved shall have, in addition to any powers expressly given by statute, such powers as may be determined and certified by the board to be proper and reasonably necessary to carry out such project, including the power to take property by eminent domain on behalf of such county, city or town provided that no source of water supply and no works for the disposal of sewage shall be installed without first having the approval of the state department of public health. If such officer or department is aggrieved by such action, he or it may, within ten days after notice thereof, appeal to the governor, whose decision shall be final. The board is hereby authorized to make all necessary orders, rules and regulations and perform all necessary actions under this act; and none of such orders, rules, regulations and actions shall be declared inoperative, illegal or void for any omission of a technical nature in respect thereto. Nothing in this act shall require any action in contravention of applicable federal laws and rules and regulations nor preclude action in conformity therewith.

SECTION 5. Section four of said Part one of said chapter three hundred and sixty-six is hereby amended by inserting after the word "the" in the third line the word:— counties,— and by inserting after the word "Act" in the fifth line the following:—, or under the joint resolution of congress known as the Emergency Relief Appropriation Act of 1935,— so as to read as follows:— *Section 4.* The governor of the commonwealth is hereby authorized to take any and all steps necessary from time to time to enable the counties, cities and towns of this commonwealth to secure any benefits to which they may be entitled under the National Industrial Recovery Act, or under the joint resolution of congress known as the Emergency Relief Appropriation Act of 1935, and the board is hereby directed to co-operate and assist him in every way possible.

SECTION 6. Said Part one of said chapter three hundred and sixty-six is hereby further amended by striking out section six and inserting in place thereof the following:— *Section 6.* The provisions of Part I of this act shall, so far as applicable, apply to any district.

SECTION 7. Any county which has heretofore been authorized by any special act to accept and use federal funds in the carrying out of any public project for the county or the tuberculosis hospital district therein may accept and use federal funds under Part one of chapter three hundred and sixty-six of the acts of nineteen hundred

and thirty-three, as amended by this act, to the same extent as though the provisions of said Part one, as so amended, had been in effect at the time such special act became effective.

SECTION 8. If a county, city, town or district shall have borrowed money under authority of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, or under said chapter as heretofore, hereby or hereafter amended and shall have an agreement with the federal government whereby such government grants such county, city, town or district a sum of money on account of the project for which the money was borrowed, the treasurer of such county, city, town or district, with the approval of the county commissioners, mayor, selectmen or prudential committee or commissioners, as the case may be, in anticipation of the receipt of the proceeds of such grant, may incur debt, which in the case of a city, town or district may be outside the debt limit, to an amount not exceeding the amount of the grant as shown by the grant agreement, and may issue notes therefor payable in not exceeding one year from their dates; and the proceeds of the grant, so far as necessary, shall be applied to the discharge of the loan.

Approved July 12, 1935.

Section 9, Added 1936, ch. 414.

See 1936, ch. 64.

1935.—CHAPTER 455.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PROVIDE CERTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE COST OF CERTAIN IMPROVEMENTS IN CONNECTION WITH THE CONSTRUCTION OF THE VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section eight, as amended by section two of chapter two hundred and eighty-seven of the acts of nineteen hundred and thirty-two, and inserting in place thereof the following:—*Section 8.* For the purpose of meeting the cost of the tunnel, which shall include all expenses incurred in laying out and constructing the same and all facilities and appurtenances incidental thereto, including plazas, street approaches, and additional street and traffic improvements, all as described in section one, and all land damages, expenses of the department, such proportion of the salaries of the department as may in its opinion be properly chargeable thereto and all interest accruing prior to the use of the tunnel on debt incurred for the foregoing, the treasurer of the city shall, from time to time, on request of the department, with the approval of the mayor of the city and, without any other authority than that contained in this act, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding nineteen million six hundred thousand dollars. Such bonds shall be designated on their face, Traffic Tunnel Bonds, City of Boston, Act of 1929, sixteen million dollars of which shall be for

such terms, not exceeding fifty years, and three million dollars of which shall be for such terms, not exceeding thirty years, and six hundred thousand dollars of which shall be for such terms, not exceeding thirty years, as in each case the mayor and the treasurer of the city may determine, and shall bear such interest, payable semi-annually, as the mayor and the treasurer of the city may determine. Such bonds may be called, retired and cancelled by the city on any date upon which interest is payable on said bonds after twenty years from their respective dates, by payment by the city of the amount of the face of said bonds with any accumulated unpaid interest, and the bonds shall contain a statement to such effect. The proceeds of such bonds shall be used only to meet the cost of the tunnel as hereinbefore defined. The said three million dollars of bonds shall also be designated on their face, Series B. The said six hundred thousand dollars of bonds shall also be designated on their face, Series C. The debt incurred from time to time under the provisions of this act shall not be included in determining the limit of indebtedness of the city as established by law. The board of sinking fund commissioners of the city shall establish a primary sinking fund for the payment of the said sixteen million dollars of bonds, a first supplemental sinking fund for the payment of the principal and interest of the said three million dollars of bonds and a second supplemental sinking fund for the payment of the principal and interest of the said six hundred thousand dollars of bonds. There shall annually be paid into such primary sinking fund from tolls and charges or otherwise as hereinafter provided such sum at least as is necessary to provide for the payment of the said sixteen million dollars of bonds at the expiration of fifty years from their respective dates, and from the excess of tolls and charges available under section twelve there shall annually be paid into such first supplemental sinking fund such sum at least as is necessary to provide for the payment of the interest on the said three million dollars of bonds as it becomes due and the principal of such bonds at the expiration of thirty years from their respective dates, and from any excess of such tolls and charges then remaining there shall annually be paid into such second supplemental sinking fund such sum at least as is necessary to provide for the payment of the interest on the said six hundred thousand dollars of bonds as it becomes due and the principal of such bonds at the expiration of thirty years from their respective dates; provided, that the first payment into any of said funds shall not be made prior to the expiration of one year after the entire tunnel is in operation. Upon and after the completion of the tunnel as aforesaid there shall also be paid into said primary sinking fund the proceeds received from any sales or leases under section four and the balance of the proceeds of any bonds issued hereunder previous to the effective date of chapter two hundred and eighty-seven of the acts of nineteen hundred and thirty-two and not then any longer required for construction purposes.

All tolls, rents, percentages, compensation and other charges received for any use of the tunnel shall be used by the treasurer of the city only to meet the operating costs, exclusive of interest on the said three million dollars of bonds and of interest on the said six hundred thousand dollars of bonds and payments into the said first and second supplemental sinking funds, and, subject to the provisions

of section twelve, the excess in any year of such tolls and charges over operating costs, exclusive of the said interest and sinking fund payments in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds, shall be paid into said primary sinking fund.

The treasurer of the city may, from time to time, on the request of the department, with the approval of the mayor of the city and without any other authority than that contained in this act, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of any issue of bonds herein authorized, and may issue notes therefor; and such notes may be refunded from time to time by the issue of new notes maturing within one year from the date of their issue; provided, that the period from the date of issue of the original loan to the date of maturity of the final refunding period of the permanent loans herein authorized shall not be extended by reason of the temporary loans.

SECTION 2. Said chapter two hundred and ninety-seven is hereby further amended by striking out section nine, as most recently amended by chapter three hundred and twelve of the acts of the current year, and inserting in place thereof the following:— *Section 9.* Upon the completion of the tunnel, the public works department of the city shall operate the same as a toll tunnel, and shall from time to time establish a schedule of tolls and charges for the use of the same, which, in the opinion of said public works department, subject to the approval of the department of public utilities, will pay all operating costs, which term wherever used in this act shall include charges for adequate maintenance and upkeep, operating expenses including therein proper policing, lighting, and ventilating, interest on all bonds or notes issued under authority hereof, and such annual amounts as are necessary to provide a primary sinking fund for the payment of the principal of the said sixteen million dollars of bonds upon the expiration of such period of time, not less than twenty nor more than fifty years after their respective dates, a first supplemental sinking fund for the payment of the said three million dollars of bonds upon the expiration of such period of time, not less than twenty nor more than thirty years after their respective dates, and a second supplemental sinking fund for the payment of the said six hundred thousand dollars of bonds upon the expiration of such period of time, not less than twenty years nor more than thirty years after their respective dates, as in each case said public works department, with the approval of the department of public utilities, shall from time to time determine. If in any year such schedule of tolls and charges should prove to be insufficient, the said public works department shall establish such tolls and charges as will provide sufficient revenue to meet any deficit; provided, that if in the opinion of said public works department such new schedule of rates and charges would not result in an increase in revenue, than it may establish such new schedule of tolls and charges as it deems will produce the maximum revenue and any deficits resulting therefrom shall be met as provided in section eleven. All schedules of tolls and charges established under this section or under section twelve shall be subject to the approval of the department of public utilities. The said public works department shall collect such tolls and charges from the driver of each vehicle using said tunnel, and shall daily pay the same over

to the city collector of Boston; provided, that no toll or charge shall be collected from the drivers of vehicles owned by the city, or by the Boston protective department or from drivers of ambulances.

SECTION 3. Said chapter two hundred and ninety-seven is hereby further amended by striking out section ten, as amended by section four of said chapter two hundred and eighty-seven, and inserting in place thereof the following:— *Section 10.* In addition to the full credit of the city, so much of all receipts from tolls and charges for or on account of the use of the tunnel as are required to be expended, by the provisions of this act, for the payment of the principal and interest of the bonds issued under section eight, as and when the same become due and payable are hereby pledged to such payment subject to the priorities herein provided in favor of the said sixteen million dollars of bonds over the said three million dollars of bonds and over the said six hundred thousand dollars of bonds and in favor of the said three million dollars of bonds over the said six hundred thousand dollars of bonds; and said provisions are hereby declared to constitute contracts between the city and the holders of said bonds within the meaning of section ten of Article 1 of the constitution of the United States, and a recital thereof shall appear on the face of said sixteen million dollars of bonds.

SECTION 4. Said chapter two hundred and ninety-seven is hereby further amended by striking out section twelve, as most recently amended by section two of chapter seventy-four of the acts of the current year, and inserting in place thereof the following:— *Section 12.* Whenever as of the last day of March in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, excluding for this purpose interest and sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds, but including sinking fund requirements in respect of the said sixteen million dollars of bonds on a basis of the payment of all of the said sixteen million dollars of bonds at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven, exclusive of any amounts so raised for interest or sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, exclusive of amounts for interest and sinking fund requirements in respect of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, the public works department shall, subject to the provisions of section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs; provided, however, that until all of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, shall become payable, whether at their final maturity or when called as hereinbefore provided, of such excess not so needed for such reimbursement so much thereof as shall be required for the payment of the interest and principal of the said three million dollars of bonds shall be paid into said first supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said three million dollars of bonds,

on a basis of the payment of all of the said three million dollars of bonds at the expiration of twenty years after their respective dates, and the remainder of such excess shall be paid into such second supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said six hundred thousand dollars of bonds. In case it shall be determined that all such excess cannot be so paid without impairing rights secured by the constitution of the United States to holders of any of the said sixteen million dollars of bonds heretofore sold and paid for or to holders of any of the said three million dollars of bonds heretofore sold and paid for, then to the extent that such excess can be so paid without such impairment, so much thereof as may be required for interest and sinking fund requirements in respect of the said three million dollars of bonds on a basis of the payment thereof at the expiration of twenty years after their respective dates shall be paid into the said first supplemental sinking fund and the remainder shall be paid into the second supplemental sinking fund as hereinbefore provided. If the amounts so directed to be contributed to the said first and second supplemental sinking funds shall be more than necessary to meet the interest on the said three million dollars of bonds and on the said six hundred thousand dollars of bonds and to retire the principal thereof at the expiration of twenty years after their respective dates, the public works department shall establish the said reduced schedule as hereinbefore provided.

SECTION 5. If any provision hereof shall be invalid, such invalidity shall not affect any other provisions of this act or the validity of any of said nineteen million six hundred thousand dollars of bonds as obligations secured not only by the full credit of the city but also by a pledge of the receipts from tolls and charges as herein provided to the extent that such provisions shall be valid.

SECTION 6. Said chapter two hundred and ninety-seven, having been submitted to and accepted by the city council of the city of Boston, in accordance with the provisions of section fifteen thereof, this act in amendment of said chapter shall take effect upon its passage and without being further submitted to the city council of said city.

SECTION 7. Any funds recovered by the city of Boston in actions instituted to recover from the recipients the whole or any part of profits made by them in connection with the taking by the said city of property for the construction of the Sumner Tunnel, so called, shall be paid into the second supplemental sinking fund created by this act, and used for the payment and redemption of the six hundred thousand dollars of bonds authorized hereunder.

Approved July 31, 1935.

1935.— CHAPTER 474.

AN ACT TO PROVIDE ADDITIONAL COURT HOUSE ACCOMMODATIONS AND FACILITIES FOR THE COURTS AND OTHER OFFICIALS IN THE COUNTY OF SUFFOLK BY THE USE OF FEDERAL, STATE AND CITY OF BOSTON FUNDS.

Whereas, The deferred operation of this act would tend to defeat its purpose to provide immediate relief against court house congestion in Suffolk county, which is seriously impeding the administration of

justice, therefore it is hereby, declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing additional court house accommodations and facilities for the courts and other officials in the county of Suffolk, including furnishings and equipment, there is hereby established a commission, hereinafter referred to as the commission, to consist of three citizens of the commonwealth, who shall be appointed within two months after the effective date of this act in the manner following:—one by the governor, one by the mayor of the city of Boston, hereinafter referred to as the mayor, and one by the chief justice of the supreme judicial court, the chief of the superior court and the chief justice of the municipal court of the city of Boston, or a majority of them. The commission shall choose its own chairman. The commissioners shall receive such compensation as may be determined by the governor and the mayor, and shall serve for a period of five years from said date. Any vacancy in the office of any commissioner shall be filled in the same manner as the original appointment.

SECTION 2. The commission is hereby authorized and directed to determine upon the location of such additional accommodations and facilities, and whether they shall consist of alterations in or additions or extensions to the present court house building or additional court house units, or any or all thereof; and to determine the type and general style of building or buildings to be utilized, so far as consistent with the laws and regulations relative to the height of buildings applicable to the location, and what streets and ways, if any, shall be closed, altered or extended in order to consolidate locations and to permit of an advantageous lay-out and adequate access thereto. Forthwith upon the determination of said questions and in accordance with such determination, the commission shall proceed to acquire by purchase, or to take by eminent domain under chapter seventy-nine of the General Laws, such land and interests therein, including buildings, as may be necessary to construct such additions, extensions or units, or to relocate or extend public ways: provided, that in case of any taking under said chapter seventy-nine the commission at the time of taking need make no award of damages sustained by the person whose property is taken, and shall proceed to cause to be closed, altered or extended such streets and ways as may have been determined to be necessary, and to cause to be prepared, subject to the approval of the governor and the mayor, and in compliance with said laws and regulations, plans and specifications for the construction of such alterations, extensions, additions and units, or any of them together with such remodeling and alterations of the present court house building, as shall have been determined to be necessary as aforesaid, in order properly to house the superior, municipal and juvenile courts and clerks' offices, the probate court, the registry of probate, the registry of deeds, the offices of the district attorney and the sheriff of said county, the social law library, the supreme judicial court, the land court, the reporter of decisions, the board of probation and the board of bar examiners,

and adequately to accommodate all other services and facilities incidental thereto and needful for the prompt and effective administration of justice and the despatch of public business. The commission shall be provided with suitable quarters and may employ a secretary, architects, engineers, attorneys and other necessary assistance. The expense incurred under authority of the preceding sentence shall be deemed to be a part of the work authorized by this act. The services of such architects and engineers as may be employed by the commission shall be on the basis of salary or fee plus actual cost of draughting and incidentals, and not of commission.

SECTION 3. Upon completion of the necessary land takings or purchases the commission, with the approval of the governor and the mayor, may proceed by contract, in the manner hereinafter provided, with the wrecking and removal of the old buildings on the land so taken or purchased. When the plans and specifications have been approved by the governor and the mayor as aforesaid, and if it appears to their satisfaction that after making reasonable allowances for unsettled land damages, furnishings and equipment, and contingencies, the total expense of carrying out the provisions of this act will not exceed the unexpended balance of the amount herein authorized to be expended, the commission is hereby authorized, on behalf of the commonwealth and the city of Boston, to proceed with the making of contracts for the construction of the alterations, extensions, and additions and units, or any of them, authorized as herein provided, and the furnishing and equipment thereof. The liability of the commonwealth and of said city under any such contract, or otherwise, shall be limited to the proportions in which the commonwealth and the city respectively, contribute to the cost of the work, as herein provided. The commission may dispose of such furnishings and equipment in the existing court house building as may be replaced hereunder, and the proceeds shall be available for expenditure for the purposes of this act. All work shall be done under written contract, and no such contract shall be deemed to have been made or executed until the written approval of the governor and the mayor has been affixed thereto. All such contracts shall be awarded by the commission on the basis of competitive bidding, and only after proposals for the same have been invited by advertisements in the Boston City Record once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Said advertisements shall state the time and place where plans and specifications of the proposed work may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the commission the right to reject any or all of such proposals. All such proposals shall be opened in public. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the commission or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects. Alterations in any such contract or in the plans and specifications to which it relates shall require the

written approval of the governor or some person designated by him for the purpose and of the mayor or some person designated by him as aforesaid. A member of the commission may be so designated.

SECTION 4. For the purpose of completely carrying out the provisions of this act, including payment of salaries and expenses of its members, the commission may expend, in addition to any sums received under any other provision of this act, a sum not exceeding five million dollars, including such sums as may be allocated by the federal government. Of the balance of the total cost after deducting such sum as may so be allocated, thirty per cent shall be paid by the commonwealth and seventy per cent by the city of Boston. To meet the commonwealth's share of such expenditures, the state treasurer shall from time to time, on the request of the commission and with the approval of the governor and council, place at the disposal of the commission such funds as it may require within the said limit, either from such appropriation or appropriations as may be made or by the issue and sale, at public or private sale, of notes of the commonwealth, to an amount not exceeding such sums as may be necessary to meet such share which shall be designated "Court House Loan, Act of 1935". Such notes shall be for such term of years as may be recommended by the governor in accordance with section three of Article LXII of the amendments to the constitution, and shall bear interest, payable semi-annually, at such rate as shall be fixed by the state treasurer, with the approval of the governor and council.

SECTION 5. The city of Boston shall from time to time, at the request of the commission, place at the disposal of the commission such funds as may be needed to meet the city's share of the expenditures authorized by this act, and for this purpose the treasurer of said city, without further authority, shall borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, such sums as may be necessary to meet such share, and may issue bonds or notes therefor, which shall bear on their face the words, City of Boston, Court House Loan, Acts of 1935. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Such indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein otherwise provided, be subject to all laws relative to the incurring of debt by said city.

SECTION 6. From the time when the enlargement and improvement herein provided for shall be substantially completed and actual use of the same shall begin the commonwealth shall contribute annually, at such times and in such amounts as the state treasurer shall from time to time find convenient, with the approval of the council, thirty per cent of the annual costs and charges of maintenance and operation of the Suffolk county court house taken as a whole, and the remaining seventy per cent shall be paid by the city of Boston.

SECTION 7. This act shall not take effect unless and until funds have been allotted by the federal government sufficient to cover such proportion of the cost of providing additional court house accommodations and facilities as aforesaid and carrying out the provisions of this act, as may be approved by the governor of the

commonwealth and the mayor of the city of Boston, and then only upon acceptance by the city council of said city, subject to the provisions of its charter.

Approved August 9, 1935.

Accepted, December 31, 1935.

See 1907, ch. 209; 1936, ch. 60; 1937, ch. 181; 1937, ch. 238.

1935.—CHAPTER 492.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF TUNNELS OR SUBWAYS IN THE CITY OF BOSTON AND THE PURCHASE AND REMOVAL OF CERTAIN ELEVATED STRUCTURES IN SAID CITY, WITH THE AID OF FEDERAL FUNDS.

Not accepted by Company.

1936.—CHAPTER 60.

AN ACT RELATIVE TO THE HEIGHT, VOLUME AND SET-BACK OF THE PROPOSED ADDITION TO THE SUFFOLK COUNTY COURT HOUSE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Any building to be erected on Pemberton square and Somerset street in the city of Boston as an additional unit to the Suffolk county court house, under the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, may be constructed to a height not exceeding three hundred feet, notwithstanding the provisions of any statutes inconsistent herewith, including section eighteen of chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended by section one of chapter one hundred and thirty-seven of the acts of nineteen hundred and twenty-eight; and the provisions of any statutes inconsistent herewith, including said section eighteen, as so amended, relating to the volume and set-back of buildings in said city shall not apply to the building to be erected as aforesaid.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1936.

See 1937, ch. 238.

1936.—CHAPTER 83.

AN ACT RELATIVE TO THE REDUCTION OF CERTAIN MUNICIPAL LOANS FOR FEDERAL AID PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section two of Part one of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended by section one of chapter twenty-one of the acts of nineteen hundred and thirty-four and by section one of chapter four hundred and four of the acts of nineteen hundred and thirty-five, is hereby further

amended by inserting after the word "thirty-one" in the sixty-eighth line the following new sentence:— In case a single loan shall represent borrowings both within and beyond either of the said special one per cent limits, and such loan shall be later reduced, through the retirement of bonds, notes or other forms of written acknowledgment of debt, or otherwise, such reduction shall be deemed to have been made wholly in respect of that portion of the loan which represented borrowing beyond the said special one per cent limit so long as any of the said portion remains outstanding,— so as to read as follows:— *Section 2.* Any county, except Suffolk or Nantucket, if authorized by the county commissioners, or any city or town, including Boston and Worcester, if authorized by a two thirds vote as defined in section one of chapter forty-four of the General Laws, with the approval of the mayor of such a city, may engage in any public works project included in any "comprehensive program of public works" prepared under section two hundred and two of Title II of the National Industrial Recovery Act and in any useful public project authorized under the joint resolution of congress known as the Emergency Relief Appropriation Act of 1935, but only in case such project is approved, as hereinafter provided, by the board and by the governor and in case the proper federal authorities have approved a grant therefor of federal money under section two hundred and three of said Title II or under said joint resolution, as the case may be. Such projects, so approved, shall be carried out in all respects subject to the provisions of said Title II or of said joint resolution, as the case may be, and to such terms, conditions, rules and regulations, not inconsistent with applicable federal laws and regulations, as the board may establish, with the approval of the governor, to ensure the proper execution of such projects. Any such county, city or town may accept and use for carrying out any project so approved any grant, or any grant and loan, of federal funds under section two hundred and three of said Title II or under said joint resolution, as the case may be; and, for the purpose only of carrying out such project, may borrow from the United States of America or other sources, or both, such sums as may be fixed by the board as hereinafter provided, and may issue bonds, notes or other forms of written acknowledgment of debt for such terms and carrying interest at rates not exceeding such rates as may be fixed by the board as hereinafter provided. Any city or town may borrow hereunder for projects for which borrowings are authorized by section seven of said chapter forty-four and for other projects for which borrowings are not authorized by section eight of said chapter, amounts not exceeding in the aggregate one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount within its debt limit, as determined in accordance with said section ten, not then borrowed or authorized by such city or town to be borrowed; and any city or town may borrow hereunder for projects of any class for which borrowings are authorized by section eight of said chapter, water

projects being treated as a single class for the purposes hereof, amounts not exceeding in the aggregate one per cent of the last preceding assessed valuation of such city or town, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount authorized by said section eight for such class of projects not then borrowed or authorized by such city or town to be borrowed, and no borrowing hereunder for any project for which borrowings are authorized by said section eight shall be reckoned in determining the borrowing capacity of such city or town under said section ten. For the purposes of the foregoing sentence, the limit of indebtedness of the city of Boston shall be computed in accordance with the provisions of section ten of said chapter forty-four as provided in section two of chapter two hundred and twenty-five of the acts of nineteen hundred and thirty-one. In case a single loan shall represent borrowings both within and beyond either of the said special one per cent limits, and such loan shall be later reduced, through the retirement of bonds, notes or other forms of written acknowledgment of debt, or otherwise, such reduction shall be deemed to have been made wholly in respect of that portion of the loan which represented borrowing beyond the said special one per cent limit so long as any of the said portion remains outstanding. In fixing the amounts that may be borrowed hereunder for projects for which borrowings are not authorized by said chapter forty-four, the board shall be guided by the above limitations as applied to the provisions of said chapter applicable to like projects. The board shall fix the terms of and maximum rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder; which terms and rates of interest, in case of obligations to be issued to the United States of America, shall be fixed in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities. All the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, that no loan shall be authorized unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the city or town has been appropriated or voted to be raised by taxation, shall apply to any borrowing hereunder by any city or town, including Boston and Worcester, except as hereinbefore provided and, in respect of any borrowing from the United States of America, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations. Each county, city or town seeking the approval of any projects by the board shall submit to it all information required with respect to the financial condition of such county, city or town, its outstanding indebtedness within and without its limit of indebtedness, if any, the estimated cost of the project, the alleged necessity therefor, and the proposed method of financing the same. In granting or withholding its approval, the board shall take into consideration, among other things, the necessity of the proposed project, the ability of such county, city or town to finance the same, the extent to which the carrying out of the project will tend to relieve unemployment and the extent to which the maintenance of the project when completed

will tend to increase or decrease the annual expenditures of such county, city or town and to increase or decrease the tax burden upon its inhabitants.

Approved February 27, 1936.

1936.—CHAPTER 110.

AN ACT FURTHER PROVIDING FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and one of the acts of nineteen hundred and thirty-one is hereby amended by striking out, in the fourth line, the word "thirty-six" and inserting in place thereof the word:—forty-one,—so as to read as follows:—*Section 1.* In the month of January in the year nineteen hundred and thirty-two, and in said month in each year thereafter, to and including the year nineteen hundred and forty-one, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week for two weeks in succession, of not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

SECTION 2. Section two of said chapter one hundred and one is hereby amended by striking out, in the seventh line, the word "thirty-six" and inserting in place thereof the word:—forty-one,—so as to read as follows:—*Section 2.* The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and thirty-two to nineteen hundred and forty-one, inclusive.

SECTION 3. This act shall take effect upon its passage.

Approved March 7, 1936.

1936.—CHAPTER 111.

AN ACT RELATIVE TO THE INSPECTION, AND REGULATING THE INSTALLATION AND USE, OF ELECTRIC CONDUCTORS AND APPLIANCES IN BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and sixty-eight of the acts of eighteen hundred and ninety-eight is hereby amended by inserting after the word "The" in the first line the following:—fire commissioner, successor to the,—by inserting a comma after the word "wires" in the same line,—and by adding at the end thereof the following:—If any such conductors or appliances are installed in a building and the electric current is transmitted or turned on to the same in violation of such rules and regulations, the fire commissioner may cause the electric current to be shut off. An electric current so caused to be shut off shall not thereafter be transmitted or turned on to such conductors or appli-

ances until the same are inspected, and permission to turn the electric current on thereto is given, by said fire commissioner, so as to read as follows:— *Section 2.* The fire commissioner, successor to the commissioner of wires, shall be deemed the sole judge of what constitutes proper insulation and the safe installation of electric conductors and appliances within buildings, and is hereby authorized to make such rules and regulations as he may deem necessary to make such conductors and appliances as safe as possible. If any such conductors or appliances are installed in a building and the electric current is transmitted or turned on to the same in violation of such rules and regulations, the fire commissioner may cause the electric current to be shut off. An electric current so caused to be shut off shall not thereafter be transmitted or turned on to such conductors or appliances until the same are inspected, and permission to turn the electric current on thereto is given, by said fire commissioner.

SECTION 2. This act shall take effect upon its passage.

Approved March, 7 1936.

1936.— CHAPTER 152.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PROVIDE FOR THE REAPPOINTMENT TO SIMILAR POSITIONS WITHOUT CIVIL SERVICE EXAMINATION OF CERTAIN FORMER EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter four hundred and eighty six of the acts of nineteen hundred and nine, as most recently amended by section one of chapter two hundred and twenty-seven of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "boards" in the thirteenth line the following new sentence:— Such an ordinance may provide that all of the employees of any department or division thereof thereby abolished who are subject to civil service shall be reappointed to similar positions with similar status in any new department or division thereof thereby established or in any other department or division thereof, without civil service examination or registration and that such employees shall, upon reappointment as may be provided in such ordinance, retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them, and that their services shall be deemed to have been continuous, to the same extent as if such abolition had not taken place, — so as to read as follows:— *Section 5.* Except as otherwise provided in this act, the organization, powers and duties of the executive departments of the city shall remain as constituted at the time when this section takes effect; but the mayor and city council at any time may by ordinance reorganize, consolidate or abolish, in whole or in part, departments whether created on or before or subsequent to the first Monday of February in the year nineteen hundred and ten, including the transit department; transfer the duties, powers and appropriations of one department to another in whole or in part; and establish new departments; and may increase, reduce, establish or abolish salaries of heads of departments, or members of boards. Such an ordinance may provide that all of the employees of any department or division thereof thereby abolished who are subject

to civil service shall be reappointed to similar positions with similar status in any new department or division thereof thereby established or in any other department or division thereof, without civil service examination or registration and that such employees shall, upon reappointment as may be provided in such ordinance, retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them, and that their services shall be deemed to have been continuous, to the same extent as if such abolition had not taken place. Nothing in this act shall authorize the abolition or the taking away of any of the powers or duties as established by law of the school committee, the board of commissioners of school buildings, the department of school buildings, the election department or any department in charge of an official or officials appointed by the governor.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1936.

1936.—CHAPTER 153.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY A CERTAIN PARCEL OF PARK LAND TO PROVIDE A DRIVEWAY FOR CERTAIN PROPERTY ADJOINING SAID LAND.

(Land on Washington street.)

See 1875, ch. 185.

1936.—CHAPTER 224.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES IN THE CITY OF BOSTON AND TO CERTAIN STATUTORY TAX AND SCHOOL APPROPRIATION LIMITS FOR SAID CITY, AND MAKING APPLICABLE TO SAID CITY THE GENERAL PROVISIONS OF LAW RELATIVE TO MUNICIPAL INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-three of Part I of chapter four hundred and ninety of the acts of nineteen hundred and nine, as amended, and as affected by section two of chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen, and all other acts and parts of acts imposing any tax limit in said city, and also so much of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as amended, and so much of any other act or acts as imposes any limitation upon the amount of appropriations that may be made by the school committee of said city, are hereby repealed.

SECTION 2. The school committee of the city of Boston may annually, beginning with the financial year nineteen hundred and thirty-six, by vote of four fifths of all its members, taken by yeas and nays, make appropriations to be raised by taxation as follows:

a. For the construction and furnishing of new school buildings, both temporary and permanent, including the taking of land therefor, and for school yards and the preparing of school yards for use, and for rent of hired school accommodations, a sum which shall not exceed fifty cents on each one thousand dollars of the average of the assessors' valuations for the three preceding years,

such valuations being reduced by abatements granted up to December thirty-first of the preceding year.

b. For the alteration and repair of school buildings and for furniture, fixtures, and means of escape in case of fire, and for fire protection of existing buildings, and for improving existing school yards, a sum which shall not exceed eighty-five cents on each one thousand dollars of the average of the assessors' valuations for the three preceding years, such valuations being reduced by abatements granted up to December thirty-first of the preceding year.

c. For all other school purposes, the sum of fifteen million one hundred and sixty thousand dollars.

Unexpended appropriation balances may be reappropriated for their respective purposes; and, in addition to the said sum of fifteen million one hundred and sixty thousand dollars, an amount equal to the money that may be given, and the income collected, for school purposes, as estimated by said committee, may be appropriated for the purposes of paragraph c.

Nothing in this section shall prevent the mayor, on request of the school committee, from recommending and the city council from passing additional appropriations for school purposes.

SECTION 3. The votes of the school committee of said city making appropriations as aforesaid shall have the same force and effect as orders or votes of the city council thereof appropriating money, and shall be subject to the same provisions of law in respect to approval by the mayor, except that a vote of four fifths of all the members of the school committee, taken by yeas and nays, shall be necessary to pass such appropriations over the veto of the mayor.

All appropriations to be raised by taxation made by the school committee of said city shall be certified by said committee to the board of assessors thereof not later than May first in each year and the assessors shall include the same in the levy of that year.

* * * * *

SECTION 11. The provisions of sections four to ten, inclusive, shall not apply to debt in the city of Boston authorized prior to the effective date of this act whether or not issued.

SECTION 12. This act shall take effect upon its passage.

Approved April 18, 1936.

Sections 4 to 10, inclusive, See Gen. Laws, ch. 44, ss. 2, 7, 10, 11, 12, 16, 22.

Section 4, See 1909, ch. 315.

Section 5, See 1908, ch. 204.

Section 6, See 1891, ch. 93.

Section 9, See 1896, ch. 163.

1936.— CHAPTER 240.

AN ACT TENDING TO PREVENT MULTIPLICITY OF PETITIONS FOR THE SAME CHANGE IN ANY ZONING DISTRICT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section twenty of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended, is hereby further amended by inserting after the word

"office" in the one hundred and seventeenth line,* as appearing in section six of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, the following new paragraph:—

If a petition for a change of the boundaries of a district is unfavorably decided upon by the board, no petition for the same change shall be considered on its merits by the board within one year after the date of such unfavorable decision, except with the consent of not less than four fifths of the members of the board.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1936.

1936.—CHAPTER 340.

AN ACT RELATIVE TO THE REVOCATION AND SUSPENSION OF LICENSES FOR THEATRICAL AND LIKE EXHIBITIONS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section one of chapter four hundred and ninety-four of the acts of nineteen hundred and eight, as amended by section one of chapter three hundred and forty-eight of the Special Acts of nineteen hundred and fifteen, is hereby further amended by striking out the last sentence and inserting in place thereof the following:—The mayor and the police commissioner of Boston, and a member of the art commission of said city to be designated annually in January by the members thereof, shall be a board with authority by a majority vote to suspend or revoke any such license at pleasure, but subject to the following provisions. No such license shall be revoked or suspended, without a hearing, on any ground having to do with public morality or decency, except that such a license may be so suspended on such a ground for not more than three days, if at or before the time of ordering such suspension the board orders that a hearing be held by it, within such three days, upon the question of revoking or further suspending such license; provided, that if the holder of such a license, during the period of its suspension, gives any exhibition, show or amusement contrary to the terms of such a suspension, such license may be revoked or further suspended by the board without a hearing. Notice of any such suspension or revocation, and notice of a hearing under this section, shall be given to the licensee. Notice of such a hearing shall also be given to any person who has complained in writing to the board against the exhibition, show or amusement on any such ground as is hereinbefore described, and to any other person whom the board deems interested.

Approved June 11, 1936.

1936.—CHAPTER 414.

AN ACT EXTENDING THE PROVISIONS OF CERTAIN ENABLING ACTS SO THAT CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH MAY ACCEPT AND USE FOR PUBLIC PROJECTS CERTAIN FEDERAL FUNDS WHICH MAY BE MADE AVAILABLE DURING THE CURRENT YEAR.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an

*The one hundred and third line in this compilation.

emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter four hundred and four of the acts of nineteen hundred and thirty-five is hereby amended by adding at the end thereof the following new section:—*Section 9.* Wherever, in Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, and acts in amendment thereof and in addition thereto, reference is made to the National Industrial Recovery Act or any title or part thereof, or to the Emergency Relief Appropriation Act of 1935, such reference shall be deemed and held to refer also to all acts and joint resolutions of congress enacted during nineteen hundred and thirty-six authorizing grants of federal money for public projects.

Approved June 24, 1936.

1937.—CHAPTER 90.

AN ACT FURTHER REGULATING THE USE OF THE MARKET LIMITS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter five hundred and eighty-four of the acts of nineteen hundred and seven, as amended by section one of chapter five hundred and nineteen of the acts of nineteen hundred and eight, is hereby further amended by striking out, in the twelfth to the seventeenth lines, inclusive, the words "or of a farm within ten miles of the residence of such person; or are to be sold at wholesale only by the party offering the same for sale on commission, for, or as agent for, some person or persons not residing or having a usual place of business within eight miles of said market", — by striking out, in the twenty-ninth line, the words "drawn by horses", — and by adding at the end thereof the following:—Nothing in this section shall prevent the owner of a farm from allowing a person or persons solely employed by him to sell the products of such farm, — so as to read as follows:—

Section 8. Requirements and prohibitions contained in this act or elsewhere to the contrary notwithstanding, it shall be lawful to occupy without license or fee places in the streets, not including sidewalks, within the limits of Faneuil Hall Market, as the same are or may be defined in the ordinances of the city of Boston, and other market limits added under authority of chapter three hundred and seventy-six of the acts of the year eighteen hundred and ninety-six, for the sale from wagons or other vehicles of fresh provisions and perishable produce: *provided*, that the same are the product of the farm of the person offering them for sale, or are meats to be sold at wholesale only by the person who slaughtered the animals of which the same were a part. It shall also be lawful for persons who are the principal tenants of basement or of ground-floor parts of buildings abutting on streets within the market limits, as they have been declared or defined by the street commissioners of the city of Boston, and who are regularly engaged in the business of selling fresh provisions or perishable produce to occupy, from time to time, by themselves or their employees, without license or fee, for the sale of said goods at wholesale and not by auction, parts of the roadway in front of their respective premises with vehicles,

and in like manner to occupy parts of the roadway in front of the premises of other persons engaged in the same business within said limits for the purpose of selling to them or of offering to them for sale said goods under the conditions described in this section; *provided, however*, that such persons offer no objection. Occupations under authority of this section shall be only in accordance with rules and regulations established from time to time by the street commissioners of the city of Boston, the police commissioner of the city of Boston concurring, for the purpose of securing the orderly and convenient transaction of business and the free passage of vehicles and of foot passengers within and through said limits; and in so far as they shall deem proper the said street commissioners, the police commissioner concurring, may further allow tenants to occupy temporarily with goods parts of sidewalks in front of their respective premises additional to such parts as may be specified in licenses issued to them by the street commissioners. Nothing in this section shall prevent the owner of a farm from allowing a person or persons solely employed by him to sell the products of such farm.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1937.

1937.—CHAPTER 91.

AN ACT RELATIVE TO THE TERM OF CERTAIN LICENSES FOR THEATRICAL AND LIKE EXHIBITIONS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. A license to be exercised in a building licensed as a theatre issued, after the date of passage of this act, for a theatrical season under the provisions of section one of chapter four hundred and ninety-four of the acts of nineteen hundred and eight, as amended, shall expire on the thirty-first day of December of the year during the whole or a portion of which it is to be exercised.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1937.

1937.—CHAPTER 93.

AN ACT CHANGING THE PERIOD OF THE OPERATING YEAR IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, as amended by section one of chapter seventy-four of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the eleventh line, the word "March" and inserting in place thereof the word:—December,—so as to read as follows:—*Section 11.* If at any time during the operation of the tunnel the receipts from tolls and charges as established under section nine or twelve are insufficient to meet the operating costs, including for sinking fund requirements, however, only such amount as is required by section

eight, the treasurer of the city is hereby authorized and directed to make payments on account of the same from any funds in the treasury of the city, including temporary tax loan funds but excluding trust funds. If for any year ending on the last day of December the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, exceed the receipts from such tolls and charges, the said treasurer shall notify the assessors of the city of the amount of such excess and the same amount shall be added to the amount to be raised by the city in the next annual tax levy. Any such amount shall be in excess of the limit imposed by law on the amount to be raised for municipal purposes by taxation in said city.

SECTION 2. Section twelve of said chapter two hundred and ninety-seven, as most recently amended by section four of chapter four hundred and fifty-five of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the second line, the word "March" and inserting in place thereof the word: — December, — so as to read as follows:— *Section 12.* Whenever as of the last day of December in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, excluding for this purpose interest and sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds, but including sinking fund requirements in respect of the said sixteen million dollars of bonds on a basis of the payment of all of the said sixteen million dollars of bonds at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven, exclusive of any amounts so raised for interest or sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, exclusive of amounts for interest and sinking fund requirements in respect of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, the public works department shall, subject to the provisions of section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs; provided, however, that until all of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, shall become payable, whether at their final maturity or when called as hereinbefore provided, of such excess not so needed for such reimbursement so much thereof as shall be required for the payment of the interest and principal of the said three million dollars of bonds shall be paid into said first supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said three million dollars of bonds, on a basis of the payment of all of the said three million dollars of bonds at the expiration of twenty years after their respective dates, and the remainder of such excess shall be paid into such second supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal

of the said six hundred thousand dollars of bonds. In case it shall be determined that all of such excess cannot be so paid without impairing rights secured by the constitution of the United States to holders of any of the said sixteen million dollars of bonds heretofore sold and paid for or to holders of any of the said three million dollars of bonds heretofore sold and paid for, then to the extent that such excess can be so paid without such impairment, so much thereof as may be required for interest and sinking fund requirements in respect of the said three million dollars of bonds on a basis of the payment thereof at the expiration of twenty years after their respective dates shall be paid into the said first supplemental sinking fund and the remainder shall be paid into the second supplemental sinking fund as hereinbefore provided. If the amounts so directed to be contributed to the said first and second supplemental sinking funds shall be more than necessary to meet the interest on the said three million dollars of bonds and on the said six hundred thousand dollars of bonds and to retire the principal thereof at the expiration of twenty years after their respective dates, the public works department shall establish the said reduced schedule as hereinbefore provided.

SECTION 3. Reference in section one to "any year ending on the last day of December" shall mean the nine month period between the last day of March and the last day of December in the year nineteen hundred and thirty-six, as well as each calendar year beginning with the calendar year nineteen hundred and thirty-seven.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1937.

1937.—CHAPTER 111.

AN ACT RELATIVE TO THE CHARGING OF ADMISSION FEES BY THE CITY OF BOSTON IN CONNECTION WITH DEMONSTRATIONS, LECTURES, CONTESTS AND EXHIBITIONS AT WORKS CONSTRUCTED UNDER THE WILL OF GEORGE ROBERT WHITE.

Be it enacted, etc., as follows:

SECTION 1. Upon the construction or erection and establishment by the city of Boston, acting by and through the board of trustees of the George Robert White Fund and under and in accordance with the provisions of article fourteenth of the will of said George Robert White, of any work of public utility and beauty for the use and enjoyment of the inhabitants of said city, said city, acting by and through the head of the department in whose charge and control the same shall be placed, if permissible under the provisions of said will, may, in connection with any demonstration, lecture, athletic contest or athletic or other exhibition therein, charge a fee for admission thereto; provided, that the aggregate amount of such fees charged at any such work in any fiscal year shall not exceed the expense of the care and maintenance thereof during such year. Such fees shall be applied by said city only toward meeting the expense of said care and maintenance.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1937.

1937.— CHAPTER 128.

AN ACT TO ENABLE THE CITY OF BOSTON TO USE FOR GENERAL PURPOSES OF THE COUNTY OF SUFFOLK A CERTAIN SUM OF MONEY NOW IN THE CUSTODY OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The superior court, after notice to the city of Boston and the attorney general, may by order authorize said city to use for the general purposes of the county of Suffolk the sums, aggregating fourteen thousand, three hundred and twenty-six dollars and twenty-three cents, paid to the collector of the city of Boston by the clerk of the superior court for civil business within and for the county of Suffolk, and now held by said city subject to the further order of said court, pursuant to an order made upon the suggestion of said clerk on March eleventh, nineteen hundred and twenty-one, in case numbered one hundred and thirty thousand and seventy of the files and records on the law side of said court within and for said county, together with all interest received by said city on all or any part of said sums, and thereafter said city may use said funds as so authorized.

SECTION 2. At any time within six years after the making of the order authorized by section one, said court, upon the petition of any person claiming any part of the sums to which such order relates, and after notice to the city of Boston, may order such amount as it finds to be due to him out of such sums to be paid to him out of any available funds in the treasury of said city.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1937.

1937.— CHAPTER 159.

AN ACT TO ENABLE THE CITY OF BOSTON TO SECURE THE BENEFITS OF CERTAIN ACTS AND JOINT RESOLUTIONS OF THE CONGRESS OF THE UNITED STATES FOR CARRYING OUT A CERTAIN SUBWAY PROJECT IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Wherever in Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three reference is made to the National Industrial Recovery Act or any title or part thereof, such reference shall be deemed and held to refer also, and in the alternative, to any and all acts and joint resolutions of the Congress of the United States enacted during nineteen hundred and thirty-five or nineteen hundred and thirty-six or thereafter authorizing grants or use of federal money for public projects.

SECTION 2. This act shall take full effect only upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary, provided that such acceptances, approval and filing occur during the current year.

Approved April 1, 1937.

Accepted by City April 14, 1937.

Accepted by Company, April 27, 1937.

1937. — CHAPTER 160.

AN ACT PROVIDING FOR AN EXTENSION OF THE PERIOD WITHIN WHICH THE CITY OF BOSTON MAY BORROW MONEY FOR AIRPORT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and seventy-one of the acts of nineteen hundred and thirty-one is hereby amended by striking out, in the fifth line, the word "two" and inserting in place thereof the word:—seven,—so as to read as follows:—*Section 1.* For the purpose of improving, extending and developing the Boston airport, so-called, in the East Boston district of the city of Boston, said city is hereby authorized to borrow, outside the statutory limit of indebtedness, from time to time within a period of seven years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Boston Airport Improvement Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

SECTION 2. Debt incurred by the city of Boston, after the effective date of this act, for the purposes provided in section one of said chapter two hundred and seventy-one, as amended by section one of this act shall, except that the same shall be outside the statutory limit of indebtedness, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, as amended, exclusive of the limitation contained in the first paragraph of section seven thereof, anything in the provisions of section one of said chapter two hundred and seventy-one, as amended, to the contrary notwithstanding.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 1, 1937.

Accepted May 4, 1937.

1937.—CHAPTER 163.

AN ACT RELATIVE TO PAYMENTS UNDER THE BOSTON RETIREMENT ACT FOR INCAPACITY OR DEATH OCCASIONED BY AN ACCIDENT OR BY UNDERGOING A HAZARD PECULIAR TO THE MEMBER'S EMPLOYMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by striking out section thirteen and inserting in place thereof the following:—*Section 13.* If the retirement board, upon application by a member or by a person acting in his behalf or by the head of the department in which such member is employed, or, in the case of heads of departments, by the mayor, and upon receipt of proper

proofs, finds that such member is totally and permanently incapacitated for duty as the natural and proximate result of an accident or of undergoing a hazard peculiar to his employment, in the performance and within the scope of his duty, at some definite time and place, without contributory negligence on his part, and that such accident occurred or hazard was undergone not more than two years prior to said application, or, if more than two years prior to said application, was reported in writing to the retirement board by the member or in his behalf within ninety days after it occurred or was undergone, and that such member should be retired, and if the medical board, after an examination of such member, shall find that such member is totally and permanently incapacitated for further performance of duty as the natural and proximate result of such accident or of undergoing such hazard, such member shall be retired for accidental disability.

SECTION 2. Said chapter five hundred and twenty-one is hereby further amended by striking out the first paragraph of section fifteen and inserting in place thereof the following:—If a member is killed or dies or a beneficiary retired for accidental disability who has not taken an option under section seventeen dies and the retirement board, upon application by the head of the department in which the member or beneficiary was employed or of a person acting in behalf of the legal representative or dependents of the member or beneficiary, and upon receipt of proper proofs, finds that such death was the natural and proximate result of an accident or of undergoing a hazard peculiar to his employment, in the performance and within the scope of his duty, at some definite time and place, without contributory negligence on his part, and that such accident occurred or hazard was undergone not more than two years prior to the date of death or that, in the case of one who was a member at the time of his death, such accident occurred or hazard was undergone more than two years prior to the date of death but was reported in writing to the retirement board by the member or in his behalf within ninety days after it occurred or was undergone, and if the medical board shall find that the death was the natural and proximate result of such accident or of undergoing such hazard, an accidental death benefit shall be granted by the retirement board. Such accidental death benefit shall consist of:

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter.

Approved April 1, 1937.

Accepted April 14, 1937.

1937.—CHAPTER 173.

AN ACT PROVIDING FOR THE CONSTRUCTION OF AN UNDERPASS IN COMMONWEALTH AVENUE AT OR NEAR ITS INTERSECTION WITH MASSACHUSETTS AVENUE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions contained in section five of this act, the city of Boston, hereinafter called the city, acting

through the transit department of said city, hereinafter called the department, is hereby authorized to construct an underpass for vehicular traffic in Commonwealth avenue at or near its intersection with Massachusetts avenue in said city, with such connecting roadways and alterations to existing roadways and parkways in said city as the department may deem necessary, and to make necessary alterations to street railway tracks.

SECTION 2. For the purpose of carrying out the provisions of this act, the department may use public lands, ways and parkways without compensation therefor, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for and on behalf of the city, lands in fee, and easements, estates and rights in land; and such taking in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by title derived through eminent domain or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by the construction of the underpass authorized by this act. Any person sustaining damage by reason of property or rights in property taken under authority of this act, except public lands, ways or parkways which may be taken and used without compensation as hereinbefore provided, shall be entitled to recover therefor from the city under said chapter seventy-nine. The members of the department shall not be liable personally for any such damage.

SECTION 3. To meet the cost to the city of the underpass, which shall include all expenses of the city incurred in constructing the same and all connecting roadways, and alterations to existing parkways and roadways, and all land damages, expenses of the department, such proportions of the salaries of the department as may, in its opinion, be properly chargeable thereto and all interest on money borrowed for the purposes of this act accruing prior to the use of the said underpass, the treasurer of said city, with the approval of the mayor of said city, may, from time to time, issue and sell at public or private sale bonds of the city to an amount sufficient to provide funds for the payment of said cost but not exceeding the sum of two hundred thousand dollars, which bonds shall bear on their face the words, City of Boston, Commonwealth Avenue Underpass Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit of indebtedness and shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, as amended, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. The department may order the temporary removal or relocation of any surface tracks, and the temporary or permanent removal or relocation of any conduits, pipes, wires, poles, or other property located in public ways or places, which it deems to interfere with the laying-out or construction of the underpass authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent

specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property in such public ways or places, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If any owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any gas or electric lighting company shall shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far and for such time as may be necessary to prevent the escape or explosion of gas, or other public danger. Said underpass, when completed, shall be under the control of the park department of said city.

SECTION 5. This act shall take effect only upon its acceptance by the city council of the city of Boston subject to the provisions of the charter of said city and upon approval by the proper federal authorities of a works progress administration project for the construction of the underpass hereby authorized or the making or approval of an allotment, allocation or grant of federal funds therefor under the joint resolution of Congress, known as the emergency relief appropriation act of 1935, or under any act or joint resolution of Congress enacted during nineteen hundred and thirty-six or nineteen hundred and thirty-seven, authorizing the expenditure or use of federal money for public projects; provided, that such allotment, allocation or grant of federal funds is of an amount approved by said mayor.

Approved April 7, 1937.

Accepted May 4, 1937.

1937. — CHAPTER 181.

AN ACT AUTHORIZING TEMPORARY BORROWING BY THE CITY OF BOSTON TO PROVIDE FUNDS TO MEET IN PART THE COST OF PROVIDING CERTAIN ADDITIONAL ACCOMMODATIONS AND FACILITIES FOR THE COURTS AND OTHER OFFICIALS IN THE COUNTY OF SUFFOLK, IN ANTICIPATION OF PAYMENTS BY THE STATE AND FEDERAL GOVERNMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

For the purpose of providing necessary funds to meet in part the cost of the additional court house accommodations and facilities, including furnishings and equipment, authorized by chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, in anticipation of the receipt by the commission established by section one of said chapter, hereinafter called the commission, of the proceeds of such funds as shall have been allotted, or of any

grant approved, by the federal government to the commission under any agreement with the federal government relating thereto, the city of Boston may, from time to time, at the request of the commission, place at its disposal such funds as may be needed to an amount not exceeding the amount of the allotment or grant as shown by such agreement, and for this purpose the treasurer of said city, with the approval of the mayor of said city, may incur debt, outside the debt limit, to an amount not exceeding, in the aggregate, such sums as shall have been so allotted, or the amount of the grant that shall have been so approved, by the federal government under such agreement, and may issue notes therefor payable in not more than one year from their dates; and the proceeds of such allotment or of such grant, so far as necessary, shall be applied by said commission to repay to said city such sums as shall have been placed at its disposal, under the provisions of this paragraph, which sums, when so repaid to said city, shall, so far as necessary, be applied to the discharge of the loan made under this paragraph.

For the purposes of providing necessary funds to meet in part the aforesaid cost authorized by said chapter, in anticipation of the receipt by the commission of the contribution from the commonwealth to pay its share of the expenditures authorized by said chapter the city of Boston may, from time to time at the request of the commission, also place at its disposal such funds as may be needed to an amount not exceeding the amount of the commonwealth's share of the expenditures so authorized, and for this purpose the treasurer of said city, with the approval of the mayor of said city, may incur debt, outside the debt limit, to an amount not exceeding, in the aggregate, the amount of the commonwealth's share of the expenditures so authorized, and may issue notes therefor payable in not more than one year from their dates; and the money paid by the commonwealth to meet its share of such expenditures, so far as necessary, shall be applied by said commission to repay to said city such sums as shall have been so placed at its disposal under the provisions of this paragraph, which sums, when so repaid to said city, shall, so far as necessary, be applied to the discharge of the loan made under this paragraph.

Approved April 9, 1937.

1937.—CHAPTER 190.

AN ACT RELATIVE TO THE SALARIES OF THE PRINCIPAL ASSESSORS
OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as most recently amended by section one of chapter one hundred of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fourteenth line, the word "five" and inserting in place thereof the word:—six,—so as to read as follows:—*Section 2.* The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, three assessors to hold office for terms of one, two, and three years, respectively, beginning

with the first day of April in the current year. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of three years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of seventy-five hundred dollars; the two other members of the board shall each receive an annual salary of six thousand dollars.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 9, 1937.

Accepted May 25, 1937.

1937.— CHAPTER 226.

AN ACT RELATIVE TO INFORMATION AS TO CITIZENSHIP REQUIRED IN THE ANNUAL LISTING OF RESIDENTS OF BOSTON FOR VOTING PURPOSES.

Be it enacted, etc., as follows:

In the annual listing of residents of the city of Boston for voting purposes it shall be sufficient if information is procured and set forth in such lists as to whether or not the persons listed are citizens of the United States without procuring and setting forth information relative to their nationality.

Approved April 26, 1937.

See 1915 (G) ch. 91.

1937.— CHAPTER 238.

AN ACT AUTHORIZING THE ERECTION OF CERTAIN PENT HOUSES OR OTHER STRUCTURES ABOVE THE ROOF LINE OF THE PROPOSED ADDITIONAL UNIT TO THE SUFFOLK COUNTY COURT HOUSE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Any pent houses or other structures for the enclosure of elevator machinery or shafts or mechanical equipment erected above the roof line of any building to be erected on Pemberton square and Somers street in the city of Boston, as an additional unit to the Suffolk county court house, under the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, may, with the approval of the building commissioner of said city, be erected above the height limit established by section one of chapter sixty of the acts of nineteen hundred and thirty-six, notwithstanding any provision of said chapter sixty or of any other general or special law inconsistent herewith.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1937.

See 1936, ch. 60.

1937.—CHAPTER 258.

AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PARK LAND IN THE CITY OF BOSTON TO THE TRUSTEES UNDER THE WILL OF GEORGE ROBERT WHITE.

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Boston is hereby authorized to transfer to the care, custody and control of the trustees under the fourteenth clause of the will of George Robert White the following parcel of land situate in that part of Boston known as the Back Bay Fens, bounded and described as follows:—westerly by Charlesgate west, eighty-five feet more or less; northerly by a portion of Commonwealth avenue, three hundred ten feet more or less; easterly by Charlesgate east, ninety-eight feet more or less; and southerly by a portion of Commonwealth avenue, three hundred ten feet more or less, or any other parcel of land now under the control of said department, heretofore taken for park purposes and situate in said part of Boston, for the purpose of erecting thereon, in accordance with plans approved by said department, an esplanade and colonnade, upon the express condition, however, that upon the completion of said esplanade and colonnade the care, custody and control of such parcel of land, together with the esplanade and colonnade, shall revert without further act to the care, custody and control of the park department of the city of Boston, to be held by said department in accordance with the provisions of the will of said George Robert White. Said transfer shall also be upon the further express condition that if, within two years from the date of such transfer, such esplanade and colonnade shall not have been constructed upon such parcel, then such parcel shall thereupon revert without further act to the care, custody and control of said department.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1937.

See 1875, ch. 185.

1937.—CHAPTER 292.

AN ACT PROVIDING FOR THE ACQUISITION BY THE CITY OF BOSTON OF CERTAIN PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter called the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and thirty-eight, purchase or take by eminent domain the physical property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

SECTION 2. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter seventy-nine of the General Laws, except that petitions for the assessment of damages may

be filed in the superior court for any of the following counties:—Suffolk, Norfolk or Middlesex. The city, acting by its public works department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under authority of section six, but, if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

SECTION 3. Before acquiring any property under authority of this act, said public works department, in the name and on behalf of the city, shall execute a contract in writing with the Boston Consolidated Gas Company, hereinafter called the company, upon such terms and conditions, not inconsistent with the provisions of this act, as said department and the board of directors of the company may agree upon, for the use by the company of the property proposed to be acquired, for such term as may be agreed upon by said department and the company. The company shall pay for the use of the property a rental at the rate of not less than four and one half nor more than eight per cent per annum upon the fair and reasonable value of the property as agreed upon, with respect to both such rate and value, by said department and the company, or, in case of a failure so to agree, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the property, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said property, the rental or a just and reasonable part thereof as agreed upon by said public works department and the company, or, in case of a failure so to agree, as determined by said department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the property, or any part thereof. In case the city shall, during the term of such contract for use, reimburse the company for capital expenditures upon the property as provided in section four, the amount of such reimbursement shall be added to the fair and reasonable value of the property for the purpose of determining the rental thereafter payable by the company for the use of the property.

SECTION 4. Said contract for use shall require the return of the property to the city at the termination of said use in good operating condition, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the property as the company shall deem to be necessary or advisable to put the property in good operating condition; provided, that no such alterations, replacements, additions or improvements shall be made, except in case of emergency, without the written consent of said public works department or a certificate from said department of public utilities that the proposed work is reasonably necessary or advisable to put the property in good operating condition. In case of any such alteration, replacement, addition or improvement, said department of public utilities shall on application of the company determine what proportion thereof, if any, constitutes a proper charge against capital, and the city shall

thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the property.

SECTION 5. There shall be made, as of the date when the use of the property by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the property by a board of three persons, one appointed by said public works department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 6. The treasurer of the city shall from time to time, on request of said public works department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding, in the aggregate, the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Gas Loan, shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city shall determine, and shall bear interest, payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by said public works department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under authority of this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said property or shall be used for the payment of expenditures incurred for the acquisition of said property, as said public works department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, as and for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 7. In respect to the use and operation of the property, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it.

SECTION 8. The contract for the use of the property executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city of Boston or any other licensee of the commonwealth may at any time have to take the properties of the company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 9. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the state secretary.

Approved May 12, 1937.

Accepted Dec. 1, 1937.

1937.—CHAPTER 366.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and forty-nine of the acts of nineteen hundred and five is hereby amended by striking out the last sentence and inserting in place thereof the following:—If a vacancy occurs in the school committee by failure to elect, or otherwise, the mayor, the president of the city council and the remaining members of the school committee shall meet in joint convention and choose a suitable person to fill the vacancy until the first Monday in January following the next regular biennial municipal election; and if there would be a vacancy on said first Monday it shall be filled at such regular biennial municipal election for the balance of the unexpired term. A person so chosen in joint convention shall not be eligible for election to the office of member of the school committee at the regular biennial municipal election next following his being so chosen.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1937.

1937.—CHAPTER 409.

AN ACT RELATIVE TO THE RETIREMENT OR RESIGNATION OF MEMBERS OF THE JUDICIARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by inserting after section sixty-five, as appearing in the Tercentenary Edition, the following new section:—*Section 65A.* A chief justice or any associate justice of the supreme judicial court,

the superior court or the municipal court of the city of Boston, any judge or associate judge of the land court, any judge of probate and insolvency, a justice of any district court other than the municipal court of the city of Boston, or a justice of the Boston juvenile court, who shall be retired under article LVIII of the amendments to the constitution, or who, after having served as a chief justice, justice, judge or associate judge of any such court or courts at least ten years continuously and having attained the age of seventy years, shall resign his office, shall thereupon be entitled to receive a pension for life at an annual rate equal to three fourths of the annual rate of salary payable to him at the time of such retirement or resignation, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid.

SECTION 2. Sections sixty-one to sixty-five, inclusive, of said chapter thirty-two, as so appearing, are hereby repealed.

SECTION 3. Section two of chapter one hundred and eighty-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out all after the word "judges" the first time it occurs in the third line,—so as to read as follows:—*Section 2.* There shall be three judges of the court, one of whom shall be appointed, commissioned and qualified as judge and the other two as associate judges.

SECTION 4. Section two A of said chapter one hundred and eighty-five, as so appearing, is hereby repealed.

SECTION 5. Paragraph (b) of section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as most recently amended by section one of chapter three hundred and ninety of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "people" in the sixth line the following:—, except members of the judiciary appointed on or after September first, nineteen hundred and thirty-seven,—so as to read as follows:—(b) "Employee" shall mean any person regularly and permanently in the employ of the city of Boston or county of Suffolk and any official or public officer whose compensation is paid by said city or county or both, whether employed or appointed for a stated term or otherwise, (except persons elected by the people, except members of the judiciary appointed on or after September first, nineteen hundred and thirty-seven, and except court officers of the supreme judicial and superior courts appointed prior to February first, nineteen hundred and twenty-three, and teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers' retirement association) whose employment is such as to require that his time be devoted to the service of the city or county, or both, in each year during one half or more of the ordinary working hours of a city employee, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

SECTION 6. Notwithstanding the provisions of section one of this act, any associate justice of the municipal court of the city

of Boston or the justice of any other district court in Suffolk county or of the Boston juvenile court who is, on September first, nineteen hundred and thirty-seven, a member of the Boston retirement system, established under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, shall remain a member of said system and shall not be entitled to the benefits of said section one, unless and until he files, as hereinafter authorized, with the retirement board established under said chapter five hundred and twenty-one, a written statement wherein he waives and renounces, for himself, his heirs and his legal representatives, all benefits of said system. At any time prior to September first, nineteen hundred and thirty-eight, any such associate justice or justice may file with said board a written statement as aforesaid and thereupon he shall cease to be a member of said system and shall become entitled to the benefits of section one of this act; and in such a case the provisions of section sixteen of said chapter five hundred and twenty-one applicable in the case of a member of the said system when he ceases to be an employee of the city of Boston or of the county of Suffolk by resignation shall apply.

SECTION 7. This act shall take effect on September first of the current year; but nothing contained therein shall affect any pension or retirement allowance granted prior to such date.

Approved May 29, 1937.

RESOLVES, 1937.—CHAPTER 72.

RESOLVE AUTHORIZING AN EXTENSION OF CERTAIN LEASES TO THE CITY OF BOSTON OF CERTAIN STATE LANDS IN EAST BOSTON FOR AIRPORT AND SEAPLANE PURPOSES.

Resolved, That the department of public works, subject to such terms, conditions and restrictions as the governor and council may approve, is hereby authorized to extend certain leases, for airport and seaplane purposes, between the commonwealth and the city of Boston, of lands of the commonwealth in that part of said city called East Boston, as hereinafter provided. The lease made on August tenth, nineteen hundred and twenty-eight, under the provisions of chapter sixty-four of the resolves of nineteen hundred and twenty-eight may be extended for an additional term of not more than twenty years, and, if said lease is so extended, the lease made on July fourteenth, nineteen hundred and thirty, under the provisions of chapter fifty-three of the resolves of nineteen hundred and thirty shall be extended for an additional term expiring simultaneously with the extended term of said first mentioned lease; provided, that for money expended by the city of Boston during the extended terms, beginning with the year nineteen hundred and forty-eight on account of said lands, said city shall not be reimbursed by the commonwealth at the expiration of said extended terms.

Approved May 29, 1937.

See Resolves 1928, ch. 64.

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laying out, etc., of, powers and duties as to, transferred to board of street commissioners,	1870	337	2
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Suffolk county, to constitute board of accounts for	*1866	117	
surveyors of highways, to constitute	1854	448	41
taxes, abatement of, powers as to, transferred to board of street commissioners	1870	337	2
telephone and telegraph conduits, poles, etc., powers as to, vested in board of street commissioners	1909	486	28
term defined	1882	164	
trees, planting and removal, in public ways, powers as to, vested in board of street commissioners	1909	486	28
Union Freight Railroad Company, powers as to	1872	342	1
vacancy in, filling of	1824	28	6
West End Street Railway Company, locations for elevated railroad, may grant to	*1890	454	
	*1891	365	
wires, poles, etc., powers as to locations for, vested in board of street commissioners	1909	486	28
ALLEYS			
<i>See</i> PUBLIC ALLEYS, STREETS			
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ALMS			
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AMERICAN LEGION			
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designation, retained	1896	250	
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	*1825	128	
	*1870	374	
	1874	220	
to Boston	*1873	290	
Charlestown, part of, to West Cambridge	*1842	24	
to Boston	*1854	433	
	1873	286	
Chelsea, to Boston	*1874	313	
	*1874	357	
Dedham, part of, to Dorchester	*1831	36	
Dorchester, part of, to Boston	*1803	111	
	*1855	468	
to Boston	*1869	349	
Mount Hope cemetery, to Boston	1872	197	
Newton, part of, to Roxbury	*1836	167	
part of Boston, to	*1875	184	
Quincy, part of, to Boston	*1893	336	
Roxbury, part of, to Boston	*1850	281	
to Brookline	*1844	38	
to Boston	1867	359	
Thompson's island, to Boston	1834	102	
West Roxbury, to Boston	1873	314	
	1873	368	
Winthrop, to Boston	*1874	322	
<i>See also</i> BOUNDARY CHANGES			
ANNUAL REPORT			
finance commission, by	1909	486	17
finances, as to, publication	1854	448	51
<i>See also</i> under titles of specific officers, boards, etc.			
ANNUITIES			
fire department, widows, etc., of certain members of, to	1880	107	2, 3
amounts of, relative to	1919(S)	93	
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police department, widows, etc., of certain deceased			2
members, to, provision for, amount, etc.,	1887	178	
	1919(S)	93	
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school teachers, to (<i>See</i> SCHOOL TEACHERS, retire- ment of)			
<i>See also</i> PENSIONS; RETIREMENT; RETIRE- MENT SYSTEM			
APPEAL, BOARD OF			
absence of member for illness, etc., proceedings in case of	1910	631	
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	1920	440	3
	1923	108	
buildings erected contrary to law, legalization of certain,			
duties as to	1915(S)	254	
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decisions of building commissioner, appeals from, fees for	1923	108	
provisions as to	1907	550	7
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	1923	108	
decisions of, filing, etc.	1907	550	7
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equivalent methods of construction, etc., allowance by,			
etc.	1907	550	8
	1918	179	1
hearings before	1907	550	7

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hospital buildings, construction, etc., regulation of, powers and duties as to	1926	182	2
metal covered steel frame buildings, erection in certain sections, duties as to	1927	42	
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	1920	440	3
	1923	108	
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	1934	227	
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theatres and public halls, licensing of, appeals from order or decision of mayor in respect to,	1907	463	
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wires, commissioner of, actions or orders of, duties as to,	1907	550	7
zoning law, powers and duties in connection with	1924	488	19
	1925	219	11
	1926	350	1
	1931	16	1
<i>See also</i> BUILDING LAW; WIRES AND ELECTRICAL APPLIANCES, board of appeal			
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approval or rejection of	1909	486	4
current expenses, for, transfers from reserve fund to	1909	486	3
	1924	479	2
expenditures in, advance of, regulated	1885	266	6
	1889	320	
	*1934	201	
	*1935	151	
excess of, prohibited	1909	486	16
penalty	1909	486	16
finance commission, for	1909	486	20
	1921	81	
	1924	369	
firemen, relief of disabled, etc., for	*1873	258	
	1898	246	
interdepartmental transfers of	1909	486	3
	1924	479	2
investigations relative to, finance commission to make	1908	562	
	1909	486	18
loans, to be met by, transfers from certain funds for	*1893	192	
mayor, approval by	1909	486	4
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	1909	486	2-4
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	*1919(S)	172	
	*1919(S)	252	
	*1920	401	
	*1922	205	
	*1923	223	
	*1924	328	
	*1925	271	
	*1926	117	
	*1927	243	
	*1928	200	
	*1929	140	
	*1930	105	
	*1931	29	
	*1932	125	
	*1933	159	
	*1934	201	
	*1935	284	
mayor, duties as to	1909	486	3

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	1916(S)	267	3
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	1934	145	
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regulated			
specific acts (<i>See</i> SCHOOL COMMITTEE, appro- priations by)			
unexpended balances, reappropriation, authorized	1919(S)	206	4
	1936	224	2
<i>See also</i> SCHOOL COMMITTEE, appropriations			
by			
sewerage works, for	1897	426	1
	1898	257	1
	1899	450	1
	*1900	478	3
	1903	268	1
	1908	204	2
	1930	178	1
<i>See also</i> SEWERS			
streets, repair and reconstruction, for, additional, in current year	*1918(S)	120	
	*1919(S)	172	
<i>See also</i> STREETS			
transfers of	1893	261	
	*1898	434	
	1909	486	3, 5
	1924	479	2
unexpended balances of, auditor to furnish certain statements of	1909	486	25
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Charles river basin sewerage works, creation, in connec- tion with	1918(S)	74	
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AQUEDUCT CORPORATION			
property, etc., city may purchase	1846	167	16
<i>See also</i> JAMAICA POND AQUEDUCT CORPORATION			
ARBORWAY			
assessments on account of, abatement of portion	*1895	185	
ARCHITECT, CITY			
office, abolished	1895	449	22
ARCHITECT DEPARTMENT			
abolished	1895	449	22
ARCHITECTS			
public buildings, for, selection, approval by mayor	1895	449	22
ARLINGTON STREET			
construction	1859	210	3
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parcel of land at corner of Newbury street and, released from certain restriction	*1913	579	
ARLINGTON STREET STATION			
construction, etc.	*1915(S)	297	
	1916(S)	342	
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loan for	1917(S)	344	
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ARMORIES			
Charlestown, in, construction, etc.	*1903	304	
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Commonwealth Flats in South Boston, on, construc- tion, etc.	*1904	405	

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ARNOLD ARBORETUM			
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	*1920	126	
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park commissioners may take certain land of	1880	144	
	1895	45	
taking of certain strip of land from, for street widening purposes	*1901	488	
ARRESTED PERSONS			
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ART COMMISSION			
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ART COMMISSIONERS, BOARD OF			
appointment, terms, etc.	1898	410	1
bridges, certain, powers as to	1898	410	
	1919(S)	87	
clerk, appointment, powers, duties, etc.	1919(S)	87	1
contracts, certain may be made by	1898	410	6
mayor to approve	1898	410	6
decisions of, unnecessary, when	1898	410	5
establishment	1898	410	
members	1898	410	1
to serve without pay	1898	410	1
municipal buildings, powers as to	1898	410	3
	1919(S)	87	2
organization	1898	410	1
powers and duties	1898	410	3
	1919(S)	87	
secretary, appointment	1898	410	1
streets, etc., works of art in, powers as to	1898	410	
	1919(S)	87	2
structures, certain, powers as to	1898	410	3
	1919(S)	87	2
theatrical exhibitions, shows and amusements, suspension, etc., of licenses for, one member to have certain powers as to	1936	340	
works of art, approval, etc., of	1898	410	2
	1919(S)	87	
powers as to	1898	410	2
	1919(S)	87	
term defined	1898	410	4
ART DEPARTMENT			
board of art commissioners (<i>See</i> ART COMMISSIONERS, BOARD OF)			
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ASHLAND STREET			
widening, etc., loan	*1926	220	
ASSESSING DEPARTMENT			
acts relative to	*1884	123	
	*1899	361	
assistant assessors in, appointment, removal, etc.	1885	266	2
appointment, terms, etc.	*1894	276	
	1898	227	
	*1901	400	
	1913	484	
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civil service, first assistant assessors to be appointed under	1913	484	
salaries	1918(S)	93	4
	1920	96	

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ASSESSING DEPARTMENT — <i>Concluded</i>			
chairmen of assessors, appointment, term, salary, etc.	1918(S)	93	2
salary increased	1921	283	
	1928	100	
deputy assessors in, appointment, terms, salaries, etc.	1918(S)	93	3
salaries increased	1920	92	
	1929	49	
civil service, offices placed under	1922	6	
first assistant assessors in (<i>See, supra</i> , assistant assessors in)			
head clerk, etc., appointment, compensation, etc.	1918(S)	93	4
lands and buildings owned by city and leased for business purposes, assessment of taxes on, by	1922	390	
oaths, certain, administering of	1918(S)	93	6
overlay of taxes, powers of assessors as to	1913	823	
	1918(G)	257	37
poll taxes, abatements of, powers as to	1920	552	3
assessment of, duties as to	1918(S)	93	5
presentation of statements by certain residents not assessed	1912	167	
principal assessors, appointment, terms, salaries, etc.	1918(S)	93	2
salaries increased	1928	100	
	1937	190	
reorganized	1918(S)	93	
returns of assessors' books, provisions relative to	*1883	141	
	*1894	318	
school committee, appropriations by, amount of, to be certified to assessors	1919(S)	206	3
	1936	224	3
second assistant assessors, appointment, compensation, etc.	1931	114	
sidewalk assessments on tax-exempt real estate, suspension authorized	1913	155	
street watering, amount of assessments to be determined by	1899	366	
taxable property, lists of, filed with, verification, provisions as to	1916(G)	294	2
verification of lists of taxable property filed with oaths as to, administering of	1916(G)	294	2
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ASSESSMENTS			
betterment (<i>See</i> BETTERMENTS)			
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street construction, etc., for (<i>See</i> STREETS, in general)			
street watering	1899	366	
abatement	1899	366	3
collection of	1899	366	
uncollectible, cancellation of certain, authorized	*1916(S)	291	
	1934	353	
warrants, form of	*1701-02	8	
<i>See also</i> TAXES			
ASSESSORS			
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ASYLUMS			
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overseers of poor, commitments to, by	*1823	53	
Boston Asylum for Inebriates, establishment	*1864	225	
ATHLETIC WEARING APPAREL			
expenditures by school committee for	*1931	111	
	1934	145	
ATHLETICS			
schools, in, provisions as to	1907	295	
	1934	145	1

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docks within, city may fill	*1869	181	
extension, loan	*1871	259	
	1899	466	
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ATTENDANCE OFFICERS			
disciplinary day schools, duties as to children placed in	1914	738	4, 5
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AUCTIONEERS			
number, limited	*1773-74	10	
AUCTIONS			
horses, of, regulated	1904	336	
	1905	426	
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AUDITOR, CITY			
abatement of certain assessments or taxes due and payable, duties as to	1934	353	
accounts, closing, application of certain income and taxes	1909	486	3
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oaths as to, may require	1909	486	23
powers and duties as to	1909	486	23
appropriations, transfers of, duties as to	*1898	434	
	1909	486	3
	1924	479	2
unexpended balances, monthly statements as to	1909	486	25
bonds, etc., given to secure certain contracts, deposit with	1890	418	6
borrowing capacity within debt limit, to certify	1891	93	
estimates relative to additional amounts, duties as to	1931	225	2
cancellation of certain claims or debts, duties as to	1934	353	
Chelsea north bridge, repair, etc., duties as to	1934	342	
contingent expenses, quarterly statements as to	1909	486	25
contracts, municipal, bids for, deposit of duplicate with, etc.	1909	486	24
powers and duties as to	1909	486	24
debt, reduction of, duties as to	1917(S)	111	
interdepartmental transfers of appropriations, duties as to	1909	486	3
interest rate on loans, powers as to	1914	364	
	1918(S)	52	
laborers, retirement board for, to be member of	1911	413	1
loans, transfers from funds obtained by, making by, etc.,	*1893	192	
officers and employees, lists of, preparation and publishing, duties as to	1909	486	27
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	1922	133	
public inspection, copy for, duties as to	1922	133	
Suffolk county, officials of, expenses, etc., estimates of, to furnish	1909	271	
	1910	373	
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AUDUBON ROAD			
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AUSTIN STREET			
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	*1913	695	
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AWNINGS			
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Arlington and Charles streets in, land between, build- ing on, restricted	1859	210	3
Copley square, certain land to be retained as	1875	195	
	1881	107	3
land on, granted to Boston	1875	195	
	1881	107	
exchange, etc., with Massachusetts Institute of Technology	1881	107	
granted to Massachusetts Institute of Tech- nology	*1873	174	
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	*1861	183	
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drainage of lands in, agreements as to, may be modified, etc.	1862 Res.	96	
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indenture concerning lands in, validated	1857	169	
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lands in, agreement concerning, validated	1857	169	
	1866	68	
conveyance to city	1859	210	4
restrictions on	1859	210	4
filling, etc.	1859	210	3
	*1860	200	
	*1862	15	
removal of certain restrictions	1927	246	
sale of certain, to Boston for Prince school	*1873	207	
Massachusetts Institute of Technology, lands in, granted to	1873	174	
	1903	438	
act affected	1877	131	
	1881	107	1
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Prince school, sale of land in, for	*1873	207	
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	1859	210	5
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streets in, commissioners may offer to Boston	1861	142	
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plan confirmed	1861	142	
BACK BAY FENS			
Charles river, connections between, reconstruction	1903	465	10
dredging, etc., in	1903	465	10
fire alarm signal station, erection in	1923	309	
George Robert White, trustees under will of, park department authorized to transfer certain land in, to	1937	258	
health department building, construction, etc., in	1929	104	
highway around, construction	*1897	523	
Museum of Fine Arts authorized to exchange certain lands in, with city	*1904	290	
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streets, etc., in, abolition of certain proposed	*1909	209	
construction, etc., of certain	*1911	453	
laying out, etc., of, provisions amended	1898	210	2
restrictions in laying out	*1894	439	
BACK STREET			
grading, etc.	*1900	170	
BAKERIES			
tenement houses, in, regulated	1907	550	53
BALLAST			
taking of, regulated	*1848	308	
BALLOT LAW COMMISSION			
election commissioners to constitute	1895	449	5
	1913	835	81
nominations, objections to, consideration by	1913	835	205
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BALLOTS			
<i>See ELECTIONS, ballots</i>			
BANKS			
deposit of city or county money in, restriction as to	1909	486	26
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BARK			
sale regulated	*1796	67	
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BARNs			
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BASS			
black bass not to be taken in Lake Cochituate	*1870	382	
BATTERY MARCH STREET			
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BAY STATE STREET RAILWAY COMPANY			
Adams square, terminal at, provision for	1917(S)	335	
BAY WINDOWS			
projecting over public ways, regulated	1909	486	28
BEACON STREET			
grade of part of, changed	*1908	622	
height of buildings on, near state house	1899	457	1
	*1901	525	
	1902	543	1
	*1905	224	
Newton authorized to construct and maintain sewers in portion	1902	480	
widening of portion	*1871	96	
yard spaces on certain lots on northerly side of, requirement of, as affecting tenement houses	1927	342	
BEGGING			
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BELLE ISLE INLET, SO CALLED			
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BELVIDERE STREET			
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BENNINGTON BOULEVARD			
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BENNINGTON STREET			
grade crossing on, alterations	*1899	390	
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BERKELEY STREET			
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land restrictions imposed by commonwealth on certain parcels on, removal of certain	1927	246	
BETTERMENTS			
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	1895	297	
	*1902	527	
	1906	393	2, 5-8
	1913	536	2, 3
	1920	74	
	1920	101	
apportionment	1906	393	7, 8
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	1920	101	
determination	1906	393	5, 6
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interest on	1906	393	7, 8
	1920	101	1
orders for	1906	393	2
	1913	536	2
payment	1906	393	7
	1920	101	1
portion, of, provision for	1895	297	
re-assessment	1906	393	5
	1913	536	3
release of part of estate from	1895	297	
revision of, regulated	*1903	235	
	1906	393	5
parks, for (<i>See</i> PARKS, in general, betterment assessments for)			
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streets, highways, etc., for (<i>See, supra</i> , in general; STREETS, in general, betterment assessments for)			
Bennington boulevard, improvement of, for, reduction . .	*1912	537	
Cambridge bridge, in connection with	1898	467	13
Charles river embankment, construction, etc., for . . .	1906	402	4
Columbia road, construction, etc., for, abatement of portion	*1911	415	
	1912	339	
Dorchesterway, for, abatement of a portion of	*1897	396	
Fort Hill, estates on, time for assessing, extended . .	*1871	219	
Harvard bridge, construction, in connection with . . .	1882	155	3
Marine park, abatement or refunding of portion paid for, .	*1888	376	
	*1893	258	
Roxbury canal, dredging of, for	1879	98	4
Stony brook, improvement, etc., for	1874	196	
BIENNIAL ELECTIONS			
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BILLIARD, POOL OR SIPPIO TABLES			
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	1915(S)	313	
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auditor, powers and duties as to	1909	486	23
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salary, etc., of employees, for, certificate of civil service			
commission, required on	1908	210	
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BOSTON PORT AUTHORITY			
annual report	1929	229	2
appointment, terms, removals, etc.	1929	229	1
establishment	1929	229	
expenditures by	1929	229	3
experts, assistants, etc., employment	1929	229	3
not subject to civil service	1930	236	
maps, charts, plans, etc., access to	1929	229	4
port of Boston defined for purposes of act relative to	1929	229	2
powers and duties	1929	229	2
salaries of offices and positions under control of, reductions in, powers and duties as to	1933	121	
vacancies in, filling of	1929	229	1
BOSTON, PORT OF			
<i>See</i> PORT OF BOSTON			
BOSTON PROTECTIVE DEPARTMENT			
annual meeting, etc.	1874	61	4
	1879	12	
appointment of men by, to be subject to approval of fire commissioners	1874	61	2
Boston Firemen's Relief Fund, The, election of members, to	1911	134	3
buildings, etc., insurance of	1874	61	5
	1879	12	
	1913	601	1, 4-6
premiums for insuring	1874	61	4
	1879	12	
charter	1874	61	
provisions amended	1879	12	
	1912	152	
	1913	601	

	Year	Chapter	Section
BOSTON PROTECTIVE DEPARTMENT — <i>Concluded</i>			
corps of men to discover and prevent fires, may maintain	1874	61	2
East Boston vehicular tunnel, use without charge by vehicles owned by	1935	312	
fires, prevention, discovery, etc., corps of men for, may maintain	1874	61	2
floods, etc., powers in case of	1912	152	
	1913	601	1
incorporated	1874	61	
insurance, powers as to	1874	61	
	1879	12	
	1912	152	
	1913	601	
insurance companies, rights as to	1874	61	4
treasurer may require statement from	1874	61	6
members of, Charitable Association of the Boston Fire Department, may join	1874	343	
term defined, Boston Firemen's Relief Fund, as to,	1921	390	
payment of expenses, provision for	1874	61	5
	1879	12	
	1913	601	4
penalty for failure to comply with demand by, for certain statement, etc.	1874	61	6
pensioning of employees	1904	233	
	1922	134	
powers and duties in general	1874	61	
	1879	12	
	1912	152	
	1913	601	
premiums for insuring buildings, regulated	1874	61	4
	1879	12	
	1913	601	3
property, holding by	1874	61	1
	1909	158	
	1913	601	2
relief funds for families of members, holding of	*1881	22	
streets, to have right of way in	1874	61	3
Sumner tunnel, use without charge by vehicles owned by,	1935	312	
water damage resulting from causes other than fire, powers in case of	1912	152	
	1913	601	1
BOSTON PUBLIC LIBRARY			
<i>See</i> LIBRARY			
BOSTON RESERVOIR			
<i>See</i> WATER			
BOSTON RETIREMENT SYSTEM			
<i>See</i> RETIREMENT SYSTEM			
BOSTON, REVERE BEACH AND LYNN RAILROAD COMPANY			
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BOSTON SOCIETY OF ARCHITECTS			
Boston art commission, may suggest names for	1898	410	1
BOSTON SOCIETY OF NATURAL HISTORY			
Boylston street, land on, reserved for	*1861	183	
BOSTON SOUTH BRIDGE			
corporation to build	*1803	113	
	*1831	71	
	*1832	136	
<i>See also</i> DOVER STREET BRIDGE			
BOSTON TEACHERS' RETIREMENT FUND			
<i>See</i> TEACHERS' RETIREMENT FUND			
BOSTON TERMINAL COMPANY			
Cove street bridge, agreement relative to, validated	*1902	141	
	*1904	266	

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BOSTON TERMINAL COMPANY — <i>Concluded</i>			
debenture bonds, may issue	*1921	143	
incorporated	*1896	516	
<i>See also</i> SOUTH STATION			
BOSTON TRAFFIC COMMISSION			
associate commissioners, provision for	1929	263	1
commissioner of, appointment, terms, etc.	1929	263	1
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establishment	1929	263	
experts, engineers, etc., employment authorized	1929	263	1
loading zone permits, so called, fees for, collection by	1935	319	
parking facilities for general court members, providing by	1934	140	
penalties for violation of regulations	1929	263	2
powers and duties	1929	263	2, 3
	1935	319	
traffic signs, signals, etc., powers as to	1929	263	2
vehicular traffic, rules and regulations as to, by	1929	263	2, 3
	1935	319	
BOSTON TRANSIT COMMISSION			
in general, abolition	1918(S)	185	
accounts of	1894	548	24
appointment, etc.,	1894	548	23
employees, appointment, etc.	1894	548	24
transfer of	1917(G)	86	
	1918(G)	24	
established	1894	548	23
extended	*1899	375	
	1902	534	
	*1906	213	
	*1909	455	
	*1911	623	
	*1914	644	
	*1917(S)	368	
laborers employed by, compensation for certain injuries	1914	636	
transfer of	1917(G)	86	
	1918(G)	24	
land taking, belonging to Commonwealth, not to pay for	1894	548	30
damages, payment for	1894	548	34, 37
	1895	440	1, 4
easements, etc., in	1894	548	31
elevated railways, for	1894	548	39
fee of, to vest in city	1894	548	32
powers as to	1894	548	33
	1895	440	
	1897	500	
proceeds of sale of certain land, how applied	1895	440	4
	1897	500	1
regulated	1894	548	
	1895	440	
	1897	500	4
surveys, right to make	1894	548	33
laws applicable to	1894	548	
	1897	500	
	1902	114	2
organization of	1894	548	24
powers and duties in general	1894	548	24-36
	*1914	644	
exercise of, if commission ceases to exist	1917(S)	373 (Pt. V)	
transferred to city of Boston	1918(S)	185	
salaries of members of	1894	548	23
secretary, appointment	1894	548	24
subway commissioners, to be members of	1894	548	23

	Year	Chapter	Section
BOSTON TRANSIT COMMISSION — <i>Continued</i>			
in general — <i>Concluded</i>			
tidewater, displacement of, not to pay for	1894	548	30
vacancies in, how filled	1894	548	23
workmen and mechanics employed by, compensa- tion for certain injuries	1915(S)	270	
workmen's compensation act, agent to carry out, appointment	1915(G)	244	1
Adams square station, alterations in	1917(S)	335	
Arlington station, construction, etc.	*1915(S)	297	
	1916(S)	342	
	1917(S)	344	
Boston Common, occupation of, by	1894	548	29
	1895	440	3
	1906	520	23
	1917(S)	373 (Pt. III)	
Boston Elevated Railway Company, prepayment areas, establishment	1917(S)	373 (Pt. III)	10
transfer of passengers, powers as to	1917(S)	373 (Pt. III)	10
Bowdoin square, subway under, construction	1897	500	5
Boylston street, part of, street car tracks, removal	1894	548	35
	1896	492	1
Boylston street subway, alteration of route, investiga- tions by	1913	810	1, 2
Arlington station, construction, leasing, etc., powers and duties as to	*1915	297	
	1916(S)	342	
	1917(S)	344	
construction, etc., by	1911	741	5
	1913	810	
	*1915(S)	297	
	1915	376	
	*1916(S)	342	
	1917(S)	344	
contract for use, duties as to	1911	741	7, 34, 38
	1913	810	4
modification, authorized	1913	810	4
route, alteration, investigation as to, by	1913	810	1
bridges, approaches to, width of	1894	548	30
Charles river, over, construction	1894	548	30
	1895	440	3
	1897	500	12
act validated	1927	195	
Charlestown bridge, construction, etc.	1894	548	30
	1895	440	3
	1897	500	12
act validated	1927	195	
control of, by	1894	548	30
	1897	500	12
	1927	195	1
discontinuance of certain, by	1894	548	30
draws of, approval of construction, by	1894	548	30
Warren bridge, reconstruction by	1894	548	30
Cambridge street subway, construction	1897	500	5
	1906	520	23
connection with East Boston tunnel, etc.	1902	114	
	1906	520	23
construction, etc.	1906	520	23
Canal street, widening, approval by	1895	440	5
Charlestown bridge, construction loan by	1894	548	30, 37
	1895	440	3
	1897	500	12
act validated	1927	195	
Court street, subway under, construction, etc.	1893	478	2
	1897	500	5

BOSTON TRANSIT COMMISSION — <i>Continued</i>	Year	Chapter	Section
Dorchester tunnel, construction by	1911	741	
	1915(S)	376	
contracts for use, duties as to	1911	741	3, 34, 38
temporary contracts for portions of, duties as to	*1915(S)	130	
Dudley street to Franklin park, strip of land, taking by	1894	548	39
east and west subway, construction	*1907	573	
	*1910	579	
act repealed	1911	741	8
East Boston tunnel, construction, etc., by	1894	548	26
	1897	500	17
	*1903	190	
	*1905	187	
	1911	741	36
	1917(S)	373	(Pt. III) 11
connection with subways	1902	114	
East Boston tunnel extension, construction, etc., by	1911	741	
	1915(S)	376	
contract for use, duties as to	1911	741	12, 34, 38
elevated railway, taking of certain land for	1894	548	39
Haverhill and Canal streets, land between, transfer of certain, to city	1897	347	1
loan on account of	1897	347	2
transfer to city	1897	347	1
loan on account of	1897	347	2
Haverhill street, widening, approval by	1895	440	5
Haymarket square, Canal, Causeway and Haverhill streets, land between, taking	1894	548	31
land adjoining, taking	1894	548	31
old provincial state house, use of basement by	1907	385	
duties as to	1907	385	
Pleasant street to Dudley street, strip of land, taking by	1894	548	39
Riverbank subway, construction	*1907	573	
	*1910	579	
act repealed	1911	741	
street railways, removal of certain tracks of	1894	548	35, 36
	1896	492	
	1902	534	14
streets, occupation and use of certain	1894	548	27, 29
Travers street to be discontinued by	1897	500	12
widening of certain	1895	440	5
structures on certain locations, placing of, restricted	1897	500	4
subways and tunnels, connection, of, powers as to	1902	114	1
construction, alteration, etc.	1894	548	25, 27
	1895	440	
	1896	492	
	1897	500	5, 12
	1902	534	
	1904	167	
	1905	460	
	1906	520	23
damages for, determination of	1902	534	8
entrances, etc., regulations concerning	1894	548	29
	1915(S)	376	
land takings for, regulated	1902	534	6
	1907	258	1
plans, etc., for	1894	548	28
	1897	500	6
	1902	534	2
<i>See also</i> SUBWAYS AND TUNNELS			
surface tracks, Boylston and Tremont streets, on, re- moval	1894	548	35
	1896	492	

	Year	Chapter	Section
BOSTON TRANSIT COMMISSION — <i>Concluded</i>			
transfer of passengers, powers	1915(S)	376	
	1917(S)	373 (Pt. III)	11
Tremont street, removal of tracks	1894	548	35
	1896	492	1
Tremont street subway, alterations in, certain, pay-			
ment of cost by	*1915(S)	87	
construction, by	1894	548	25
contracts for use of, may make with railway com-			
panies	1895	440	6
	1897	500	2, 3
	1902	534	10
new approach to, in Boylston street, construction,			
as affecting	1913	810	3
regulations concerning construction	1895	440	2
rental of, to be fixed by	1894	548	35
	1896	492	
sewers along route of, regulations concerning	1894	548	36
stations for, regulations concerning	1894	548	10
	1897	500	20
tracks in, construction, equipment and location of	1894	548	35
	1896	492	
wires, pipes, etc., along route of, regulations con-			
cerning	1894	548	36
Tremont street to Franklin park, strip of land, taking			
by	1894	548	39
Warren bridge, reconstruction, etc.	1894	548	30
Washington street tunnel, contracts for use of	1902	534	10
	1911	741	29, 34, 38
construction, etc.	1902	534	
	1904	167	
	1905	460	
<i>See also</i> SUBWAY COMMISSIONERS; SUBWAYS AND TUNNELS; TRANSIT DE- PARTMENT			
BOSTON TUNNEL COMMISSION			
establishment, etc.	*1928	380	
BOSTON WATER BOARD			
abolished	1895	449	12
agents of city, to act as	1875	80	1
agreements, certain, of, validated	*1886	351	
Cochituate and Mystic water boards, to succeed to			
powers of	1875	80	2
established	*1874	179	
	1875	80	1
police employed by, control, etc., of	1895	449	26
powers and duties	1875	80	1, 2
transferred to water commission	1895	449	13
rates, establishment by	1875	80	1
salaries of members	1875	80	3
<i>See also</i> WATER			
BOSTON WATER POWER COMPANY			
Back Bay lands of, indentures concerning, validated	1857	169	
	1866	68	
streets and drainage on, relative to	1862 Res.	96	
	*1866	229	
BOSTON WHARF COMPANY			
lands on Sleeper street, release to city	1903	381	3
wharf, construction, etc., regulated	*1854	218	
streets and sewers over	*1854	218	
BOSTON ZONING LAW			
<i>See</i> ZONING LAW			
BOULEVARDS AND PARKWAYS			
<i>See</i> STREETS, boulevards and parkways			

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BOUNDARY CHANGES			
Brookline and Boston	*1824	90	
	*1825	128	
	1872	267	1
	*1890	339	
	*1894	242	
	*1894	485	
Cambridge and Boston	*1898	243	
	*1910	312	
Hyde Park and Boston	*1898	251	
Newton and Boston	*1874	277	
	*1898	242	
	*1898	431	
Roxbury and Boston	*1786	87	
	*1836	37	
	*1837	202	
	1859	210	1
	*1860	172	
Somerville and Boston	*1891	294	
West Roxbury and Boston	*1870	146	
<i>See also ANNEXATIONS</i>			
BOW STREET			
widening	*1898	275	
BOWDOIN STREET			
height of buildings on	1902	543	
	1903	234	
	*1905	234	
parking of motor vehicles on, by members of general court	1934	140	
BOWLING ALLEYS			
licensing of	1906	291	4
	1915(S)	313	
BOYLSTON			
John Boylston's Charitable Donations, Trustees of, incorporated	1802	44	1
powers	1802	44	2-5
	1813	171	
property, may hold	1802	44	3
	1868	183	
BOYLSTON STREET			
height of buildings on, between Clarendon and Dartmouth streets	1898	452	
laying out, construction, etc., of portion of	*1893	339	
	*1894	439	
	1898	227	2
Massachusetts Institute of Technology, certain lands on, construction of building on	1903	438	2
granted to	*1873	174	
exchanged	1875	195	
	1881	107	
reserved for use of	*1861	183	
release of reversion in	1903	438	1
street car tracks on, removal, etc.	1894	548	35
	1896	492	
replacement	*1899	398	
Tremont street subway, incline approach to, construction in	1913	810	3
widening, etc., in connection with subway construction	1913	810	3
BOYLSTON STREET BRIDGE, SO CALLED			
draw in, widening	*1888	230	
BOYLSTON STREET SUBWAY			
Arlington station in, construction, etc.	*1915(S)	297	
	1916(S)	342	
loan for	1916(S)	342	13
acceptance, time extended for	1917(S)	344	
contract for use, etc.	1916(S)	342	10
	1917(S)	344	

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BOYLSTON STREET SUBWAY — <i>Concluded</i>			
Audubon Circle station	*1934	268	
Beacon street extension (<i>See, infra</i> , extension of)	1911	741	
construction	1915(S)	376	
bond issue	1911	741	9
commencement	1911	741	6, 15
cost, what to include	1911	741	7
general provisions	1911	741	14-26
.	1915(S)	376	
plan, filing	1911	741	6
route	1911	741	5
alteration, investigation as to	1913	810	1
variations in, etc.	1911	741	16
.	1915(S)	376	
suspension in part, temporarily	1913	810	2
contract for use, etc.	1911	741	7, 34, 38
modification	1913	810	4
term, rental, etc.	1911	741	32
excess rentals, how applied	1911	741	37
extension of, under Governor square	1925	341	
.	*1928	403	
.	1930	394	
car stop in, construction	*1934	268	
modification of terms and conditions of use	1935	100	
Kenmore station, construction	1925	341	
.	1930	394	
.	*1934	268	
.	1935	100	
BRANDON STREET			
improvement	*1903	370	
BREED'S ISLAND			
bridge connecting Chelsea and, construction, etc.	1887	374	
.	*1894	165	
BREMEN STREET			
grade crossing on, alteration	*1899	390	
BRIDGES			
in general, building law, exempt from	1907	550	10
.	1921	60	1
care, maintenance, etc., powers of aldermen as to, delegation to street commissioners, authorized	*1877	228	1, 3
construction, etc., provisions relative to	1902	224	
draws in, discontinuance, etc.	1902	224	
widening, etc.	1902	224	
piers, guards, fenders, etc., for protection of	1902	224	
rafts, etc., attaching to, regulated	1862	73	
widening, etc.	1902	224	
Albany street, extension of, construction of certain, in connection with	*1855	73	
.	*1856	107	
.	*1859	21	
Arsenal street bridge (<i>See, infra</i> , Western avenue and Arsenal street bridge)			
Belle Isle Inlet, over, reconstruction, etc.	1913	412	
apportionment of cost	1913	412	6
land, etc., taking for	1913	412	3, 4
loan	1913	412	5
maintenance, after	1913	412	7
street railway location, provision for	1913	412	8
term "bridge" defined for purposes of	1913	412	5
Boston and Cambridge, between, commission on (<i>See</i> BOSTON AND CAMBRIDGE BRIDGES COMMISSION, SO CALLED)			

	Year	Chapter	Section
BRIDGES — <i>Continued</i>			
Boston Free bridge (<i>See, infra</i> , Federal street bridge)			
Boston South bridge, incorporated, etc.	*1803	113	
	*1831	71	
	*1832	136	
<i>See also, infra</i> , Dover street bridge			
Boylston street bridge, draw in, widening	*1888	230	
Breed's island and Chelsea, connecting, construction, etc.	1887	374	
	*1894	165	
Brighton street bridge (<i>See, infra</i> , River street — Brighton street bridge)			
Broadway bridge, Boston Elevated Railway Company, use of, by	1900	452	
construction, etc.	*1866	188	
New England Railroad Company, payment by	1900	452	
	*1902	143	
reconstruction, loan, etc.	1900	452	
	*1902	143	
Brookline street bridge, Boston & Albany Railroad Company, payment, etc., by	1904	391	4
Boston Elevated Railway Company, use of, by	1904	39	2
construction, etc.	*1896	315	
	1904	391	
approaches, etc.	1904	391	2, 3
payment for	1904	391	4
draw, widening	*1888	230	
Brookline street—Essex street—Cottage Farm bridge			
care, control and maintenance	1921	497	14, 15
construction	1921	497	
additional expenditures	1924	416	
	1926	327	2
	1927	320	1
approaches	1921	497	3
Charles river basin, filling in portion, in con- nection with	1926	327	2
cost, apportionment	1921	497	5
	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
	1924	416	
	1926	327	2
	1927	320	1
state notes to meet	1921	497	4
terms of	1921	501	
damages, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
railroad, double track, construction of certain, as part of	1924	416	
location, new, at, granted	1924	416	
Cambridge and Boston, between, new bridge authorized, *1874		175	
Cambridge bridge, Boston Elevated Railway Company, location on	1898	467	4
	1906	520	30
not to be revoked, etc.	1906	520	29
payment by, determination of	1898	467	10
Cambridge and Boston to build	1898	467	1
commission to construct	1898	467	
<i>See also</i> CAMBRIDGE BRIDGE COM- MISSION			
construction of, approaches to, lay out, etc.	1898	467	4, 5, 7
payment for	1898	467	8
betterments, assessment of	1898	467	13

	Year	Chapter	Section
BRIDGES — Continued			
Cambridge bridge, construction of — <i>Concluded</i>			
damages to property, recovery of	*1902	464	
draw, without	1899	180	
highway bridge, temporary	1898	467	1
loan for	1898	467	11
corporation to construct	*1791	62	
	*1792	21	
	*1792	87	
maintenance, etc.	1898	467	14
appointment of commission	1898	467	14
defect, etc., in, liability for	1898	467	14
management, etc.	1898	467	14
name changed to Longfellow bridge	1927	33	
street railway, location on	1898	467	4
	1906	520	30
wharf property above, owner may recover damages	*1902	464	
<i>See also, infra</i> , Longfellow bridge; West Boston bridge			
Cambridge Great bridge, draw in, construction	*1838	166	
reconstruction	*1862	65	
<i>See also, infra</i> , Western avenue bridge			
Canal bridge (<i>See, infra</i> , Craigie bridge)			
Charles river bridge			
acts relative to	*1841	88	
	*1842	48	
	*1855	253	
	*1859	186	
	*1865	237	
	*1868	322	
	*1882	138	
agent and draw-tenders, relative to	*1859	186	
approaches to be kept open, etc.	1894	548	30
provision repealed	1927	195	1
care, maintenance, etc.	*1874	259	
corporation to construct	*1791	62	
discontinuance, authorized	1894	548	30
	1927	195	1
draw in, relative to	*1869	272	
	*1870	303	
	*1870	401	
	*1872	55	
proprietors of, interest extended	*1792	87	
reconstruction, etc.	*1854	451	
relocation and widening	*1887	398	
repair, etc.	*1870	303	
superintendence of	*1867	66	
Charles river, over, Beacon street and Cambridge, between, construction			
	1874	314	
	1882	155	
	1885	129	
	1887	282	
<i>See also, infra</i> , Harvard bridge			
Beverly and Prince streets, between, construction, etc.	*1880	125	
Cambridge and Brighton, between, draw in, construction	*1838	166	
care, control, etc., of certain, to vest in board of two commissioners	1921	497	4
Charlestown and Boston, between, construction, etc., of certain	1894	217	
construction, etc., of certain	*1874	314	
	*1896	315	
draws in, widening	*1888	230	

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BRIDGES — <i>Continued</i>			
Charles river, over — <i>Concluded</i>			
Larz Anderson and Western avenue bridges, between, construction, etc.	*1925	329	30
transit commission authorized to construct certain	1894	548	
<i>See also</i> under names of specific bridges			
Charlestown bridge, approaches to, construction	*1897	346	30
construction, etc.	1894	217	
	1894	548	
loan for	1894	548	37
elevated railway, location on	1897	500	12
Chelsea bridge, act relative to	*1868	309	30
construction, repair, maintenance	1911	581	
apportionment of cost	1913	341	
loan in connection with	1919(G)	78	
corporation to build	*1801	63	
grade crossings on, abolition	*1892	374	
maintenance	1878	41	
	1880	159	
reconstruction	*1876	106	
	*1880	159	
Chelsea Creek bridge, construction of, etc.	1887	374	
	*1894	165	
	*1903	353	
	*1911	581	
Chelsea Free bridge (<i>See, infra</i> , Chelsea street bridge)			
Chelsea North bridge, repair, etc.	1934	342	30
loan	1934	342	
Chelsea Point bridge, corporation to construct, etc.	*1835	100	
	1849	106	
tolls on, authorized	*1843	91	
Chelsea South bridge, permanent draw for, construction, loan for	1921	345	
Chelsea street bridge, construction, repair, maintenance, apportionment of cost	1911	581	
	1913	341	
loan in connection with	1919(G)	78	
corporation to construct, etc.	*1834	130	
	1849	109	
Congress street bridge, construction, etc., loan	*1868	326	
	*1925	258	
	1926	157	
Cottage Farm bridge (<i>See, supra</i> , Brookline street—Essex street—Cottage Farm bridge)			
Cove street bridge, agreement with Boston Terminal Company relative to, validated	*1902	141	3
	*1904	266	
Craigie bridge, corporation to build	*1806	88	
	*1807	60	
draw, widening, etc.	*1869	311	
	*1870	302	
	*1870	401	
	*1871	250	
reconstruction, etc.	*1873	199	
removal of	1903	465	
	1905	65	
Dover street bridge, incorporated, etc.	*1803	113	
	*1831	71	
	*1832	136	
reconstruction and widening	*1876	105	
East Boston and Boston, connecting, construction of certain, investigation as to	*1891	386	3
East Boston Free bridge, established	*1855	335	
	*1856	109	
Eastern avenue bridge, construction, etc.	*1868	326	
<i>See also, supra</i> , Congress street bridge			

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BRIDGES — <i>Continued</i>			
Essex street bridge (<i>See, supra</i> , Brookline street—Essex street—Cottage Farm bridge)			
Federal street bridge, established	*1824	115	
	*1825	147	
	*1830	121	
	*1831	46	
reconstruction	*1855	406	
widening	*1855	406	
	*1869	194	
Fort Point channel, over, construction of certain	1897	512	
<i>See, also, supra</i> , Broadway bridge; Congress street bridge			
Granite avenue bridge, draw, widening	*1888	279	
reconstruction	1913	771	
approaches to	1913	771	4
care, control, etc., after	1913	771	10
	1915(G)	58	
commission for, appointment, powers, duties, etc.	1913	771	1
cost, apportionment	1913	771	5, 6
payment	1913	771	8
	1915(G)	103	
specifications	1913	771	3
street railway location on	1913	771	7
Granite Bridge Corporation, act relative to	*1865	192	
Harvard bridge, approaches to, provisions as to	*1890	338	
care, management, etc.	1882	155	4
	1924	442	5
commissioners of, compensation of certain members	*1888	302	
provision for, powers and duties	1887	282	
construction	*1874	314	
	1882	155	
	1885	129	
	1887	282	
	1924	442	
betterments, assessment of	1882	155	3
expense of, payment	1882	155	5
loan for	1882	155	7
	1887	282	2
materials for	1882	155	2
plans for	1887	282	3
taking of land for	1882	155	3
draw, altered into a fixed span	1924	442	1
width of	1885	129	
highway, to be	1882	155	5
	1924	442	5
location of, defined	1887	282	
maintenance, provisions as to	1882	155	5
	1924	442	5
repairs, alterations, etc., in	1924	442	
cost, apportionment	1924	442	3
payment, loan	1924	442	4
what to include	1924	442	2
street cars, use of, by	1887	282	4
Larz Anderson bridge, care, control and maintenance	1931	423	
Longfellow bridge, name of Cambridge bridge changed to	1927	33	
<i>See also, supra</i> , Cambridge bridge			
Longwood avenue bridge, reconstruction, etc.	*1897	162	
Malden bridge, construction, etc.	*1786	69	
	1899	280	
	1913	277	
payment of cost, loan	1899	280	3
corporation to construct	*1786	69	

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Malden bridge — <i>Concluded</i>			
draw in	1899	280	2, 4
operation regulated	1913	777	3
reconstruction, widening, etc.	1913	777	3, 4
cost, payment	1913	777	3
highway, between Everett-Boston boundary and, layout, etc.	*1900	296	
to be	*1859	99	
maintenance	*1874	139	
	1899	280	4
public highway, to be	*1859	99	
repairs, etc.	*1869	266	
tolls abolished	*1859	99	
Massachusetts avenue bridge (<i>See, supra</i> , Harvard bridge)			
Maverick Bridge Company, incorporated	*1868	352	
Meridian street bridge, established	*1855	335	
	*1856	109	
reconstruction, repair, maintenance	1911	581	
apportionment of cost	1913	341	
loan in connection with	1919(G)	78	
Miller's river, over, draws in certain, widening	*1869	311	
	*1870	300	
	*1870	401	
Moon island and Squantum, between, construction etc.	1879	230	
Mount Washington Avenue Corporation, incorporated to construct certain	*1853	255	
Neponset avenue bridge, draw, widening	*1888	279	
Neponset bridge, care, control, etc., to vest in metro- politan park commission	1915(G)	300	10
construction	1915(G)	300	
	1917(G)	220	
	1919(G)	238	
	1922	380	
approaches	1915(G)	300	1, 4
	1919(G)	238	1
completion	1919(G)	238	
	1922	380	
cost, apportionment	1915(G)	300	5
	1919(G)	238	2
	1922	380	2
assessment	1915(G)	300	7
expenditures	1915(G)	300	6-8
	1917(G)	220	
	1919(G)	238	2-4
	1922	380	2-4
loans	1915(G)	300	8
	1919(G)	238	4
	1922	380	2
specifications	1915(G)	300	1, 3
	1919(G)	238	1
	1922	380	1
North Beacon street bridge, reconstruction	1914	780	
approaches	1914	780	3
cost	1914	780	4
apportionment	1914	780	5, 6
payment, loan	1914	780	8
maintenance, control, etc., after	1914	780	11, 12
specifications	1914	780	1, 2
street railway, location on, obligation as to	1914	780	12
Northern avenue bridge, construction, etc., loan	1903	381	
public boat landing at, construction, etc.	1909	284	
Prison Point bridge, corporation to build	*1806	4	
draw, widening	*1869	311	
	*1870	300	
	*1870	401	

BRIDGES — *Continued*

reserved channel at South Boston, across, construction, etc.	1891	388	
	*1892	12	
River street bridge in, draw, widening	*1888	230	
River street-Brighton street bridge, approaches, relative to	1921	497	3
	1931	423	
care, control and maintenance	1921	497	14, 15
	1931	423	
construction	1921	497	
approaches	1921	497	3
cost, apportionment	1921	497	5
	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
	1926	327	3
state notes to meet	1921	497	4
terms of	1921	501	
damages, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
Roxbury creek, over, construction, etc., of certain	*1855	73	
	*1856	107	
	*1859	21	
Soldiers' Field bridge, reconstruction, etc.	*1904	412	
See also, <i>supra</i> , Larz Anderson bridge			
South Bay, over, construction, etc.	*1869	78	
	*1869	447	
	*1874	114	
	*1874	387	
Spring street bridge, Boston & Dedham, between			
cost, apportionment	1915(G)	235	2
payment	1915(G)	235	2
maintenance, etc.	1915(G)	235	4
reconstruction	1915(G)	235	
approaches	1915(G)	235	4
street railway location on, obligation as to	1915(G)	235	5
Warren bridge, acts relative to	*1842	48	
	*1855	253	
	*1859	186	
	*1865	237	
	*1868	322	
	*1882	138	
agent and draw-tenders, relative to	*1859	186	
approaches to, construction, etc.	1894	548	30
	1927	195	1
care, maintenance, etc.	*1874	259	
control of,	1894	548	30
draw, widening	*1869	272	
	*1870	303	
	*1870	401	
interest of commonwealth in, transferred to city	1883	140	2
land at end of, sale authorized	*1869	272	
location, change of	1883	140	1
reconstruction, etc.	*1880	125	
	1883	140	
	1894	548	30
	1927	195	1
repair, etc.	*1854	451	
	*1870	303	
superintendence of	*1867	66	
Warren Bridge Corporation, established, etc.	*1827	127	
	*1832	219	
	*1835	155	
	*1841	88	

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Weeks bridge, construction	*1925	329	1
funds for, management, etc.	*1925	329	2
maintenance	*1925	329	3
West Boston bridge, corporation to build	*1791	62	
	*1792	21	
	*1792	87	
draw, widening	*1869	311	
	*1870	302	
	*1870	401	
	*1871	250	
elevated railway, location on	1897	500	15
replaced by Cambridge bridge	1898	467	
widening of	*1889	366	
<i>See also, supra, Cambridge bridge, Longfellow bridge</i>			
Western Avenue and Arsenal Street bridge, care, control, etc.	1921	497	13, 15
construction	1921	497	
approaches	1921	497	3
cost, apportionment	1921	497	5
	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
state notes to meet	1921	497	4
terms of	1922	501	
damages for, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
Western Avenue bridge, approaches, relative to	1921	497	3
	1931	423	
care, control and maintenance	1921	497	14, 15
	1931	423	
construction	1921	497	
approaches	1921	497	3
cost, apportionment	1921	497	5
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
state notes to meet	1921	497	4
terms of	1921	501	
damages for, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
original bridge, draw in, construction	*1838	166	
widening	*1888	230	
reconstruction, etc.	*1862	65	
BRIGHTON			
annexed to Boston	1873	303	
	1873	368	
Butchers' Slaughtering and Melting Association, incorporated, to be located in	1870	365	
incorporated as a town	*1806	65	
BRIGHTON AND ALLSTON DISTRICT			
Cambridge street in, width established	*1893	305	
municipal building in, construction, loan	*1924	399	
BRIGHTON AVENUE			
completion	*1895	268	
widening of portion	*1871	96	
BRIGHTON DISTRICT			
Brookline may lay and maintain sewer through	1889	151	
established	1873	303	
	1873	368	
Franklin street in, widening	*1902	281	
Newton may lay sewer through	1877	144	

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BROAD STREET			
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BROADWAY			
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BROADWAY BRIDGE			
Boston Elevated Railway Company, use of, by	1900	452	3
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New England Railroad Company, payment by	1900	452	
	*1902	143	
rebuilding, etc.	1900	452	
	*1902	143	
loan for	1900	452	3
BROOKLINE			
annexed to Boston	*1873	290	
portion, annexed	*1870	374	
	1874	220	
boundary between Boston and, changed, etc.	*1824	90	
	*1825	128	
	1872	267	1
	*1890	339	
	*1894	242	
	*1894	485	
Leverett pond in Boston and, dredging	*1930	97	
Longwood avenue bridge, to rebuild with Boston	*1897	162	
Muddy river, dam across, may erect	1872	267	2
dredging	*1930	97	
may make a new channel for	1873	260	1
extension of sewers into	1873	260	2
reservoirs, construction and maintenance in	*1881	129	
sale of certain reservoir property to	*1903	310	
Roxbury, part of, annexed to	*1844	58	
sewers, Beacon street, in, may use with Boston	1876	136	3
Brighton, may lay, etc., through	1889	151	
Chestnut street and Pond avenue, in, assessments for	1887	331	
may lay, etc.	1887	331	
water, may sell to Boston	*1875	127	
water pipes, laying, etc., in	*1880	126	
BROOKLINE AVENUE			
widening of portion	*1871	96	
BROOKLINE STREET BRIDGE			
approaches to	1904	391	2, 3
Boston and Albany Railroad Company, payment, etc., by	1904	391	4
Boston Elevated Railway Company, use of, by	1904	391	2
construction, etc.	*1896	315	
	1904	391	
draw in, widening	*1888	230	
payment for	1904	391	4
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BROOKLINE STREET-ESSEX STREET-COTTAGE FARM BRIDGE			
care, control and maintenance	1921	497	14, 15
construction	1921	497	
additional expenditures	1924	416	
	1926	327	2
	1927	320	1
approaches	1921	497	3
Charles river basin, filling in portion, in connection with	1926	327	2

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BROOKLINE STREET-ESSEX STREET-COTTAGE			
FARM BRIDGE — <i>Concluded</i>			
construction — <i>Concluded</i>			
cost, apportionment	1921	497	5
	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
	1924	416	
	1926	327	2
	1927	320	1
state notes to meet	1921	497	4
terms of	1921	501	
damages, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
double track railroad, construction of certain, as part of,	1924	416	
railroad location, new, at, provision for certain	1924	416	
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improvement of brook courses for sewerage purposes,			
expense of, provisions as to	1915(S)	108	
<i>See also</i> STONY BROOK; WATER COURSES			
BUDGET			
provisions as to	1909	486	3
supplementary budgets, provision for	1909	486	3
BUILDING COMMISSIONER			
annual report	1907	550	1
report on examiners of gas fitters, to include	1897	265	12
appeal, board of, annual report of its decisions, duties			
as to	1907	550	8
appeals from decisions of (<i>See</i> APPEAL, BOARD OF)			
appointment, terms, etc.	1907	550	1
asphalt shingles, use of, powers as to	1916(S)	277	8
	1923	462	
boilers, etc., maintenance, powers as to	1907	550	125
building heights, commission on, member of certain,			
to be	1915(S)	333	1
buildings erected contrary to law, legalization of certain,			
duties as to	1915(S)	254	
dangerous and unsafe buildings, powers and duties as to,	1907	550	3, 4
	1914	205	1
	1919(S)	155	1
	1923	462	2
removal, powers and duties as to	1907	550	5
	1914	205	2
	1919(S)	155	2
	1920	91	1
	1923	462	3
	1931	250	2
deputy, appointment, powers, etc.	1907	550	1
elevator inspectors, appointment of additional, by	1907	550	38
special night, appointment, etc., by	1924	332	
elevators, passenger, licensing of operators duties as to	1913	714	
night inspection of, duties as to	1924	332	
enforcement of certain building laws by	1907	550	12
	1910	284	
equivalent methods of constructions, etc., allowance by,			
etc.	1907	550	8
	1918(S)	179	1
examination of buildings in course of construction, etc.,			
duties as to	1907	550	2
fire department standpipes, etc., installation in certain			
buildings, powers as to	1923	278	2
furnaces or boilers, wooden floors, on, powers as to	1923	462	8

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garages, conversion of existing buildings into, powers as to	1911	342	2
gas fitters, board of examiners, to be a member of	1897	265	3
gas fitting, applications for license to be made to	1897	265	2
permits for, applications to	1897	265	7
regulations for, powers and duties as to	1897	265	4, 7
gas fitting, inspectors of, to fix compensation of	1897	265	5
hazardous buildings, etc., permits for, powers as to	1907	550	125
	1923	462	26
hospitals, construction, alteration, etc., regulations, powers and duties as to	1919(S)	163	
	1926	182	
establishment and maintenance, regulations, powers and duties as to	1919(S)	163	6
inspection of buildings, duties as to	1907	550	2
	1914	205	1
	1919(S)	155	1
	1923	462	2
inspectors, etc.,	1895	449	24
appointment by	1907	550	1
kiln drying lumber, use of buildings for, regulation, duties as to	1913	729	
metal covered steel frame buildings, erection in certain sections, duties as to	1927	42	
non-conforming temporary building, or uses, permits for, granting by	1924	488	9
permits, granting, revocation, etc., powers and duties as to	1907	550	1
	1918(S)	179	1
	1920	266	
	1923	462	1
plans and specifications, filing with, may require	1907	550	1
plumbing, permits for, issuance by	1907	550	114
pipes, etc., inspection	1907	550	116
powers and duties in general	1895	449	24
	1907	550	
public assembly, places of, exits, stairways, etc., in certain, powers as to	1913	50	
	1915(S)	352	5
seats in, securing of, powers as to	1912	371	
public ways, projections, etc., in, powers as to	1913	680	2
qualifications	1907	550	1
safety requirements, certain, powers as to	1907	550	8
	1923	462	4
salary	1907	550	1
Suffolk county court house, proposed addition to, may approve erection above height limit	1937	238	
tearing down of buildings, rules and regulations as to, to issue	1923	462	1
tenement houses, requirements as to, not to dispense with	1907	550	76
testing, powers and duties as to	1918(S)	179	1
theatres, gas pipe outlets in, powers as to	1909	550	99
exits in, may require additional	1907	550	99
unlawfully erected buildings, legalization of certain, duties, as to	1915(S)	254	
use prohibited in district, erection, enlargement, etc., of certain buildings for, permits for, granting by	1924	488	9
wooden buildings, alteration or repair of certain, powers as to	1915(S)	352	3
	1923	462	8
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appeal, board of, in (<i>See</i> APPEAL, BOARD OF)			
clerk, duties, etc.	1907	550	1
commissioner (<i>See</i> BUILDING COMMISSIONER)			
department for inspection of buildings changed to	1895	449	24
fence viewers, two inspectors in, to be designated as	1911	76	
hospitals, registration with	1919(S)	32	
	1919(S)	163	7
inspectors, etc., appointment, qualifications, etc.	1907	550	1
officers and employees, not to engage in other business, etc.	1907	550	1
	1913	704	1
provision for	1895	449	24
	1907	550	1
records, open to public inspection	1907	550	1
BUILDING HEIGHTS			
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BUILDING INSPECTION DEPARTMENT			
established	*1892	419	
changed to building department	1895	449	24
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alteration of existing buildings	1907	550	35
	1921	289	1, 3
	1924	335	5
requirements restricted	1921	289	1
apartment, term defined for certain purposes	1907	550	42
appeal, board of (<i>See</i> APPEAL, BOARD OF)			
assembly-rooms (<i>See, infra</i> , public assembly, places of)			
automatic sprinklers, basements of mercantile buildings, may be required in	1914	782	2
	1923	462	7
tenement houses, in	1914	782	10
	1915(S)	352	4
	1920	440	1, 2
	*1920	645	
	1921	476	
	1924	136	
theatres, in	1907	550	104, 111
	1909	313	1
bakeries, etc., in tenement houses	1907	550	53
basements, occupancy, conditions relating to	1907	550	68
	1914	628	
	1915(S)	346	
stores, in (<i>See, infra</i> , stores, basements of)			
term defined	1907	550	11
	1923	462	6
<i>See also, infra</i> , cellars			
bay windows, projection, regulated	1907	550	13
boards and commissioners, certain, powers not abridged by	1907	550	10
	1931	250	1
boilers, combustible partitions near, regulated	1914	782	3
maintenance, regulated	1907	550	125
placing on wooden floors, regulated	1907	550	13
	1923	462	8
bridges exempt from	1907	550	10
	1921	60	1
building commissioner (<i>See</i> BUILDING COMMISSIONER)			
building department (<i>See</i> BUILDING DEPARTMENT)			
building limits	1907	550	9
	1914	782	1
	1915(S)	352	1
	1917(S)	221	1

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building limits	1918(S)	179	2
	1922	126	
	1924	335	1
buildings erected contrary to, legalization of certain	1915(S)	254	
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cellars, construction	1907	550	22
occupancy, conditions relative to	1907	550	68
	1914	628	
	1915(S)	346	
rat-proofing of	1918(S)	179	10
staircases to, closets prohibited under	1907	550	13
	1923	462	8
term defined	1907	550	11
	1923	462	6
<i>See also, supra</i> , basements			
chimney flues, height, etc.	1907	550	12
chimneys, construction	1907	550	12
	1923	462	7
corbelling from walls, regulated	1907	550	13
floor timbers, nearness to	1907	550	13
hanging from walls, regulated	1907	550	13
studding or furring, nearness to	1907	550	13
cinematograph, use regulated	1907	550	106
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classification of buildings	1907	550	17
	1914	782	4
	1916(S)	248	
	1916(G)	118	
	1918(S)	179	7
	1921	289	2
closets, prohibited under cellar staircases	1907	550	13
	1923	462	8
combustible materials, storage, etc.	1907	550	126
commonwealth, buildings owned by, exempt from	1907	550	10
composite building, term defined	1907	550	11
	1918(S)	179	3
computation, methods of	1907	550	16
	1918(S)	179	6
	1923	462	10
	1924	412	2
concrete (<i>See, infra</i> , materials)			
construction, alteration of existing buildings	1907	550	35
	1921	289	3
	1924	335	5
anchors	1907	550	24
brickwork, bonding	1907	550	25
	1918(S)	179	12
cellars	1907	550	22
rat-proofing of	1918(S)	179	10
chimneys	1907	550	12
	1923	462	7
<i>See also, supra</i> , chimneys			
concrete piles	1907	550	20
	1918	179	9
cornices	1907	550	29
elevators	1907	550	38
	1914	786	6
	1921	289	4
equivalent methods of, allowance	1907	550	8
	1918(S)	179	1
examination of buildings in course of	1907	550	2
excavations	1907	550	19
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	1914	782	5
	1918(S)	179	13, 14
	1921	60	2
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	1918(S)	179	14
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	1923	462	15
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	1918(S)	179	8, 9
	1920	91	2
	1923	462	12
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	1923	462	11
	1928	137	1
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	1918(S)	179	1
	1920	266	
	1923	462	1
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	1920	440	3
	1923	108	
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	1923	462	7
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	1923	462	12
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	1923	462	8
	1924	335	2
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	1918(S)	179	11
	1923	462	13
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	1918(S)	179	15
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	1918(S)	179	12
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	1923	462	14
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	1923	462	7
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	1918(S)	179	15
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	1923	462	7
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	1914	205	1
	1919(S)	155	1
	1923	462	2
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	1914	205	2
	1919(S)	155	2
	1920	91	1
	1923	462	3
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	1921	60	3
	1921	289	5
	1923	462	6
	1934	271	1
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	1915(S)	352	2
	1921	60	1
	1923	462	5
	1931	250	1
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	1921	289	3
	1924	335	5
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	1914	782	9
	1921	289	6
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	1918(S)	179	13, 14
	1921	60	2
	1923	462	16
	1924	335	4
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	1916(S)	248	
	1916(G)	118	
	1918(S)	179	7
	1921	289	2
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	1918(S)	179	14
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	1918(S)	179	8
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	1923	462	7
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	1923	462	8
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	1923	462	6
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	1918(S)	179	11
	1923	462	13
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	1923	462	11
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	1921	289	1
	1923	462	7
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	1923	462	8
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market buildings, exempt from certain restrictions	1907	550	9
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	1923	462	2
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	1918(S)	179	4
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Portland cement mortar	1918(S)	179	4
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Portland cement	1918(S)	179	4
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	1923	462	8
	1924	335	2
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	1924	412	2
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	1915(S)	352	2
	1921	60	1
	1923	462	5
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	1920	440	3
	1923	108	
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	1924	335	2
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	1914	782	4
	1916(S)	248	
	1916(G)	118	
	1918(S)	179	7
	1921	289	2
cornices	1907	550	29
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	1918(S)	179	13
	1924	375	4
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	1918(S)	179	8
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	1923	462	7
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	1921	60	11
	1923	462	24
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	1923	462	
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	1918(S)	179	7
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	1918(S)	179	15
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thickness of	1907	550	23
	1918(S)	179	11
	1923	462	13
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	1916(S)	277	
	1923	462	8
	1924	335	2
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	1918(S)	179	2
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	1907	550	13
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	1914	628	
	1915(S)	346	
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	1915 (S)	352	4
	1920	440	1, 2
	*1920	645	
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	1914	782	10
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	1920	440	1, 2
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	1924	335	6
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	1913	586	3
repairs, terms defined as to	1907	550	42
requirements as to, not to be dispensed with	1907	550	76
rooms, lighting and ventilation	1907	550	63
	1921	289	13
size of	1907	550	64
	1921	289	14
sanitary arrangements in	1907	550	67, 69, 72
	1922	61	
shafts, terms defined in connection with	1907	550	42
	1921	289	5
stair hall, terms defined as to	1907	550	42
term defined	1907	550	42
water-closets in	1907	550	67, 69, 72
	1922	61	
water supply in	1907	550	73
yards, term defined in connection with	1907	550	42
drainage	1907	550	74
terms defined	1907	550	{ 11, 42 77, 112
	1918(S)	179	3
	1921	60	3
	1921	289	5
	1923	462	6
	1934	271	1
testing, provisions as to	1918(S)	179	1
theatres, aisles	1907	550	88
temporary seats not to be placed in	1907	550	111
	1908	336	
construction	1907	550	78
	1921	60	4
curtain	1907	550	84, 111
curtain opening	1907	550	84, 111
definition	1907	550	77
	1921	60	3
doors, open outward	1907	550	93, 111
<i>See also, infra, exits</i>			
existing, aisles, temporary seats not to be placed in	1907	550	111
	1908	336	
curtain opening, etc.	1907	550	111
exits	1907	550	111
	1909	313	1
fire escapes	1907	550	111
	1909	313	1
fire protection	1907	550	111
	1909	313	1
heating apparatus, location of	1907	550	111
stairs, landings, etc., in	1907	550	111
	1909	313	1
ventilators, etc.	1907	550	111
	1909	313	1

BUILDING LAW — *Continued*theatres — *Concluded*

	Year	Chapter	Section
exits	1907	550	91-99
	1921	60	8, 9
additional, may be required	1907	550	99
	1921	60	8
aggregate width	1907	550	97
emergency	1907	550	98
	1921	60	8
gallery and balcony	1907	550	96
lighting, etc.	1907	550	99, 111
	1909	313	1
main floor and first gallery	1907	550	95
open outward	1907	550	93, 111
plans to be printed on programs, etc.	1907	550	99, 111
	1921	60	9
room exits	1907	550	92
stage doors	1907	550	91
false doors or windows prohibited	1907	550	94
fire protection	1907	550	104, 111
	1909	313	1
floor levels	1907	550	82
changes in	1907	550	89
	1921	60	7
gas pipe outlets in	1907	550	99
illuminating fixtures over auditorium	1907	550	86
	1923	462	23
lobbies, etc.	1907	550	90
open courts	1907	550	79, 80
proscenium	1907	550	84, 111
wall	1907	550	83
	1921	60	5
radiators forbidden in passageways	1907	550	104
roof gardens above	1907	550	108, 109
seats in auditorium	1907	550	87
	1921	60	6
sprinklers and standpipes	1907	550	104, 111
	1909	313	1
stage, doors	1907	550	91
floor	1907	550	85
stairs	1907	550	{ 100-103
	1921	60	111
hand-rails on	1907	550	102, 111
landings	1907	550	101, 111
	1909	313	1
	1921	60	10
width	1907	550	103, 111
winding or circular, prohibited	1907	550	103
stores, etc., in	1907	550	81
	1923	462	22
summer theatres	1907	550	110
ventilators	1907	550	86, 111
	1909	313	
	1923	462	23
thickness of wall, term defined	1907	550	11
third class buildings, asphalt shingles, use on, regulated	1918(S)	104	
classification	1907	550	17
	1914	782	4
	1916(S)	248	
	1916(G)	118	
	1918(S)	179	7
	1921	289	2

	Year	Chapter	Section
BUILDING LAW — Continued			
third class buildings — <i>Concluded</i>			
construction of certain	1914	782	1
	1918(S)	179	2
	1922	126	
fire protection requirements	1907	550	32
	1918(S)	179	13
	1924	375	4
reconstruction, alteration, etc.	1915(S)	352	1
	1922	126	
term defined	1907	550	11
two-family dwellings, third class construction, of	1914	782	1
	1918(S)	179	2
	1922	126	
underpinning, term defined	1918(S)	179	3
United States, buildings owned, etc., by, exempt from,	1907	550	10
	1931	250	1
unsafe buildings (<i>See, supra</i> , dangerous and unsafe buildings)			
vent pipes, fire protection provisions	1907	550	32
	1918(S)	179	13
ventilating flues, construction	1907	550	12
violations of, nuisance, to constitute	1907	550	132
penalties for	1907	550	132
	1913	586	
validation of certain buildings erected contrary to law	1915(S)	254	
voting booths exempt from	1907	550	10
water-closets, general requirements as to	1907	550	12
plumbing law provisions	1907	550	12
tenement house requirements	1907	550	67, 69, 72
water pipes, protection, etc.	1907	550	12
scope of plumbing provisions widened to include	1934	271	1
wharves exempted from	1907	550	9, 10
wooden buildings, alteration or repair of certain, regulated	1907	550	13
	1915(S)	352	3
	1923	462	8
area limited	1913	704	2
	1914	248	
	1914	782	8
foundations	1907	550	39
	1914	782	7
	1918(S)	179	17
framing	1907	550	39
	1914	782	7
	1918(S)	179	17
	1923	462	20
height, etc., of, regulated	1907	550	40
	1913	704	2
	1914	248	
	1914	782	8
	1913	248	
ice houses, provisions as to			
incombustible material, covering of certain, with, requirements as to	1913	704	2
	1914	782	8
moving of certain, within building limits, regulated	1907	550	13
	1914	782	3
	1923	462	8
party walls between adjoining houses, requirements as to	1907	550	40
	1914	782	8

	Year	Chapter	Section
BUILDING LAW — <i>Concluded</i>			
wooden buildings — <i>Concluded</i>			
situation of, as to lot lines, etc.	1907	550	40
	1914	782	8
	1923	462	21
strength, requirements as to	1907	550	39
	1914	782	7
	1918(S)	179	17
	1923	462	20
tenement houses	1907	550	51
underpinning	1907	550	39
	1914	782	7
	1918(S)	179	17
	1923	462	20
<i>See also</i> BUILDINGS; ZONING LAW			
BUILDING LIMITS			
<i>See</i> BUILDING LAW, building limits			
BUILDING LINES			
boulevards, parkways, etc., on establishment	*1896	313	
	*1897	379	
Lansdowne street, on, changed	*1900	348	
public ways, on, establishment	*1893	462	
BUILDINGS			
acts relative to	*1692-93	13	
	*1699-1700	24	
	*1760-61	9, 32	
	*1762-63	3	
	*1763-64	31	
	*1796	94	
	*1797	31	
	*1798	23	
	*1802	20	
	*1811	73	
	*1817	119	
	1817	171	
	*1821	31	
	*1822	16	
	*1826	144	
	*1829	34	
	*1835	139	
	*1847	132	
	*1850	280	
	*1868	281	
	*1869	123	
	*1870	116	
	*1871	280	
	*1872	260	
	*1872	371	
	*1872	377	
	*1873	298	
	*1873	338	
	*1876	69	
	*1876	176	
	*1877	84	
	*1878	192	
	*1881	117	
	*1882	101	
	*1882	252	
	*1883	155	
	*1883	173	
	*1883	251	
	*1884	223	
	*1885	374	

	Year	Chapter	Section
BUILDINGS — <i>Continued</i>			
acts relative to	1885	382	
	*1888	86	
	*1888	316	
	*1888	367	
	*1888	426	
	1889	450	
	*1892	419	
	*1893	170	
	*1893	293	
	*1893	297	
	*1893	446	
	*1893	462	
	*1894	257	
	*1894	443	
	*1895	97	
	*1895	239	
	*1895	280	
	*1895	314	
	*1896	313	
	*1896	416	
	*1897	175	
	*1897	310	
	*1897	379	
	*1897	413	
	*1898	209	
	*1898	228	
	*1898	284	
	*1898	308	
	*1899	161	
	*1899	185	
	*1900	271	
	*1900	321	
	*1900	474	
	*1902	400	
	*1903	301	
	*1904	227	
	*1904	368	
	*1906	340	
building, code (<i>See</i> BUILDING LAW)			
limits (<i>See</i> BUILDING LAW, building limits)			
cocoa roasting in, regulated	*1785	15	
	1817	171	6
commonwealth, building inspection laws of, revised and codified	*1913	655	
construction, alteration and maintenance of (<i>See</i> BUILDING LAW)			
contagious diseases, etc., infected with (<i>See, infra</i> , preservation of health in)			
department for inspection of, changed to building department	1895	449	24
<i>See also</i> BUILDING DEPARTMENT			
established	*1892	419	
destruction, etc., of (<i>See, infra</i> , preservation of health in; BUILDING LAW, tearing down of buildings)			
elevators in, night inspection of	1924	332	
operation of passenger elevators, regulated	1913	714	
	*1883	173	
<i>See also</i> BUILDING LAW, elevators			
enforcement of laws relative to	*1899	185	
	1907	550	127-132
	1910	284	
	1913	586	
<i>See also</i> BUILDING LAW, enforcement.			

	Year	Chapter	Section
BUILDINGS — Continued			
erection of certain, contrary to law, validated	1915(S)	254	
fire protection, etc., in (<i>See</i> FIRES AND FIRE PRE- VENTION AND PROTECTION)			
garages (<i>See</i> GARAGES)			
gas fittings in (<i>See</i> GAS FITTING)			
health, preservation, in (<i>See, infra</i> , preservation of health in)			
height of, commissions on, appeals from orders of . . .	1904	333	2
	1905	383	2
	1915(S)	333	2
appointment, etc.	1904	333	2
	1905	383	1
	1915(S)	333	1
boundaries of districts, establishment, etc., by, . . .	1904	333	2
	1905	383	
	1915(S)	333	
compensation	1904	333	2
	1905	383	2
powers and duties	1904	333	2
	1905	383	2, 3
	1915(S)	333	1, 2
regulation, boulevards, parkways, etc., on . . .	*1896	313	
	*1897	379	
building law provisions	1907	550	18
	1923	462	11
	1928	137	1
<i>See also</i> BUILDING LAW			
districts:			
A district, boundaries of	1904	333	2
revised	1915(S)	333	
establishment	1904	333	1
height to which buildings may be erected in	1904	333	3
	1915(S)	333	
B district, boundaries of	1904	333	2
revised	1905	383	
	1915(S)	333	
establishment	1904	333	1
height to which buildings may be erected in	1904	333	3
	1905	383	
	1915(S)	333	
<i>See also, infra</i> , zoning law provisions			
height to which buildings may be erected . . .	1904	333	3
	1905	383	
	1915(S)	333	
limitations as to, not to apply to certain structures	1904	333	3
	1905	383	4
	1919(S)	156	
	1922	174	
	1923	462	27
<i>See also, infra</i> , zoning law provisions			
pyramidal buildings, so called, erection, above height limit	1928	137	
zoning law provisions, in general	1924	488	10-16
	1926	350	1, 2
	1927	220	2
	1928	137	2
	1930	347	4
	1934	210	2
board of appeal, certain powers as to, . . .	1926	350	1
eighty foot districts	1924	488	14
forty foot districts	1924	488	12

	Year	Chapter	Section
BUILDINGS — <i>Continued</i>			
height of — <i>Concluded</i>			
regulation — <i>Concluded</i>			
height to which buildings may be erected — <i>Concluded</i>			
zoning law provisions — <i>Concluded</i>			
one hundred and fifty-five foot districts	1924	488	15
	1928	137	2
sixty-five foot districts	1924	488	13
thirty-five foot districts	1924	488	11
	1927	220	2
	1930	347	4
zoning adjustment, board of, powers as to	1926	350	2
<i>See also</i> BUILDING LAW; ZONING LAW			
specific provisions as to, Beacon street, on, near state house	1899	457	1
	*1901	525	4
	1902	543	1
damages in connection with, provision for	1899	457	2
	*1901	417	1
	1902	543	2
	*1905	224	
payment by commonwealth	*1903	234	
Bowdoin street, on	1902	543	1
damages in connection with, provision for	1899	457	2
	*1905	224	
payment by commonwealth	*1903	234	
Boylston street, on, between Clarendon and Dartmouth streets, regulated	1898	452	
City Hall Annex	1912	582	
Copley square, on or near	1898	452	
	1920	455	
	1929	338	
Dartmouth street, on, near Copley square	1898	452	
	1920	455	
Massachusetts General Hospital, exemption of certain parcel of, from restriction as to	1923	27	
Rutherford avenue, on, between Chapman street and Mystic river tracks	1907	416	
St. James avenue, on, Clarendon and Dartmouth streets, between	1898	452	
	*1929	286	
	1929	338	
state house, in vicinity of	1899	457	1
	1901	525	4
	1902	543	1
damages in connection with, provision for	1899	457	2
	*1901	417	
	1902	543	2
	*1905	224	
payment by commonwealth	*1903	234	
Suffolk County Courthouse, addition to	1936	60	
	1937	238	
Washington street, Lovering place, etc., certain parcel bounded by, exempted from restrictions as to	1914	786	
zoning law provisions, in general, regulations and exceptions	1924	488	16
	1934	210	2

	Year	Chapter	Section
BUILDINGS — <i>Continued</i>			
horses, auction sales of, in, regulated	1904	336	
	1905	426	
hospitals, construction, alteration, etc., regulated	1919(S)	163	
	1926	182	
Massachusetts General, exempt from certain re- strictions as to height	1923	27	
registration with building department	1919(S)	32	
	1919(S)	163	7
wooden, erection, etc., temporary provision for	1873	4	
<i>See also</i> HOSPITALS, in general			
kiln drying of lumber, use for, regulated	1913	729	
laws relative to, enforcement of	*1899	185	
	1907	550	127-132
	1910	284	
	1913	586	
<i>See also</i> BUILDING LAW, enforcement			
lodging houses (<i>See</i> TENEMENT AND LODGING HOUSES)			
merchandise, raising, etc., into, regulated	1816	90	4
metal covered steel frame, erection in certain section, authorized	*1918(S)	115	
	1927	42	
municipal (<i>See</i> MUNICIPAL BUILDINGS)			
owned by city and leased for business purposes, taxes on, assessment, etc.	1922	390	
plumbing in (<i>See</i> BUILDING LAW, plumbing)			
preservation of health in, in general	1885	382	
	1889	450	
	1911	287	
penalties for violations	1885	383	22
service on owner, agent, etc., requirements as to	1885	382	19
buildings where persons are employed, overcrowd- ing, ventilation, etc., regulations as to	1885	382	18
	1889	450	6
cellars, etc., use for dwelling purposes, regulated	1885	382	17
contagious disease, etc., vacating of buildings infected with	1897	219	
	1899	222	
dangerous and unfit buildings, vacating, etc., of	1897	219	
	1899	222	
destruction of buildings in connection with	1897	219	
	1899	222	
damages in connection with	1897	219	2
enforcement of provisions as to	1885	383	21
sanitary purposes, construction of wooden buildings for	1873	4	
tenement or lodging houses (<i>See</i> TENEMENT AND LODGING HOUSES)			
vacating of buildings, board of health may order	1897	219	
	1899	222	
water-closets, privies, etc., requirements as to	1885	382	1
<i>See also</i> HEALTH, BOARD OF			
public buildings, care and custody	1854	448	39
construction, provisions as to	*1852	266	
	1895	449	22
	1896	293	
	1909	486	8, 30
safety appliances in	*1876	69	
	*1884	223	
	*1888	86	
<i>See also</i> BUILDING LAW, public assembly, places of; MUNICIPAL BUILDINGS			
public halls (<i>See, infra</i> , theatres and public halls)			

	Year	Chapter	Section
BUILDINGS — Continued			
removal, tearing down, etc., further preservation of life			
in, provision for	1912	713	
health provisions relative to	1897	219	
	1899	222	
qualifications of persons in charge of, ordinances			
relative to, authorized	1912	713	
safety provisions, ordinances relative to, authorized,	1912	713	
<i>See also BUILDING LAW</i>			
safety requirements for construction, alteration, re-			
moval, etc., of, ordinances relative to,			
authorized	1912	713	
specific provisions as to, Beacon street, yard space re-			
quirement on certain lots on northerly			
side	1927	342	
Berkeley street, restrictions on certain parcels on,			
removed	1927	246	
Boylston street, on, between Clarendon and Dart-			
mouth streets	1898	452	
City Hall Annex, height of	1912	582	
Copley square, on or near	1898	452	
	1920	455	
	1929	338	
Dartmouth street, on, near Copley square	1898	452	
	1920	455	
Massachusetts General Hospital, exemption from			
certain restrictions as to height of			
buildings	1923	27	
music festival, erection of wooden building for . *	1872	240	
Newbury street, buildings at No. 337, exempted			
from certain regulations as to garages .	1912	259	
restrictions on certain parcels on, removed . *	1913	579	
	1927	246	
Rutherford avenue, on, between Chapman street			
and Mystic river track	1907	416	
St. James avenue, certain land abutting on,			
between Clarendon and Dartmouth			
streets	1898	452	
	*1929	286	
	1929	338	
Shirley-Eustis Mansion, certain provisions of law			
not to apply to	1915(S)	306	
Suffolk County Courthouse, proposed addition to,			
height, volume and set-back	1936	60	
	1937	238	
Washington street, Lovering place, etc., certain			
parcel bounded by, exempted from			
restriction as to height of buildings .	1914	786	
<i>See also, supra, height of, specific provisions as to</i>			
stables, regulated	*1869	369	
	*1878	192	
	1889	89	
	1897	300	1
	1889	89	4
penalty for violation			2
standpipes and other equipment, installation in certain,			
required	1923	278	
tenement houses (<i>See BUILDING LAW, tenement</i>			
houses; TENEMENT AND LODG-			
ING HOUSES)			
theatres and public halls, building law requirements			
(<i>See BUILDING LAW</i>)			
licensing of	1907	463	
theatrical exhibitions, etc., in (<i>See THEATRICAL</i>			
EXHIBITIONS, SHOWS AND			
AMUSEMENTS)			

	Year	Chapter	Section
BUILDINGS — <i>Concluded</i>			
wires and electrical appliances in, inspection, etc.	1898	268	
	1908	339	
	1915(S)	262	
	1936	111	
installation and use, regulated	1898	268	
	1908	339	
	1915(S)	262	
	1936	111	
<i>See also</i> WIRES AND ELECTRICAL APPLI- ANCES			
zoning of (<i>See</i> ZONING LAW)			
BUILDINGS, DEPARTMENT FOR THE INSPEC- TION OF			
establishment	*1892	419	
changed to building department	1895	449	24
BUILDINGS, INSPECTOR OF			
powers and duties transferred to building commissioner	1895	449	24
sanitary purposes, erection of wooden buildings for, under direction of, etc.	1873	4	
BURIAL GROUNDS			
<i>See</i> CEMETERIES AND BURIAL GROUNDS			
BURIALS			
regulations for, establishment	1816	44	11
	1849	150	
BURYING GROUNDS, SUPERINTENDENTS OF			
board of health to appoint	1816	44	8
BUSES			
sight-seeing (<i>See</i> SIGHT-SEEING AUTOMOBILES)			
BUSINESS PURPOSES			
lands and buildings owned by city and leased for, taxa- tion of	1922	390	
BUTCHERS' SLAUGHTERING AND MELTING ASSOCIATION			
board of health to appoint inspectors	1876	144	4
exclusive rights as to slaughtering	1876	144	2
incorporated	1870	365	
	1876	144	
powers	1870	365	
	1876	144	
prices for slaughtering on premises of, how fixed	1876	144	3
BYRON STREET			
extension	*1844	58	

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C STREET			
South Boston, lay out, etc.	*1902	377	
CABLES			
<i>See</i> WIRES AND ELECTRICAL APPLIANCES			
CALF PASTURE, SO CALLED			
pumping works, etc., at, construction	1879	230	1
taking of land, etc., for	1879	230	2
sewage not to be discharged at	1882	256	
CAMBRIDGE			
boat landings, etc., Charles river basin, in, powers as to	1911	424	
boundary between Boston and, changed	*1898	243	
	*1910	312	
bridges, certain, Charles river, across, to widen	*1888	230	
Cambridge bridge (Longfellow bridge), construction by Boston and	1898	467	
<i>See also</i> CAMBRIDGE BRIDGE			
Cambridge street subway in, construction, etc.	1906	520	19
Charlestown, part of, annexed to West Cambridge	*1842	24	

	Year	Chapter	Section
CAMBRIDGE — <i>Concluded</i>			
Craigie bridge, draw, widening, etc.	*1869	311	
	*1870	302	
	*1870	401	
	*1871	250	
Harvard bridge, to build with Boston	*1874	314	
	1882	155	
<i>See also HARVARD BRIDGE</i>			
Harvard Square subway station, alterations in, duties of Boston transit department as to	*1925	321	
	1906	520	
Main street subway, construction, etc.	*1869	311	
Prison Point bridge, draw, widening	*1870	300	
	*1870	401	
River street subway, construction, etc.	1906	520	18
subways, purchase of certain, authorized	1906	520	28
water pipes, construction and maintenance in, authorized	*1880	126	2
	*1869	311	
West Boston bridge, draw in, widening, etc.	*1870	302, 401	
	*1871	250	
CAMBRIDGE BRIDGE			
Boston Elevated Railway Company, location on	1898	467	4
	1906	520	30
not to be revoked, etc.	1906	520	29
payment by, determination of	1898	467	10
Cambridge and Boston to build	1898	467	1
commission to construct	1898	467	
<i>See also CAMBRIDGE BRIDGE COMMISSION</i>			
construction of, approaches to, lay out, etc.	1898	467	4, 5, 7
payment for	1898	467	8
betterments, assessment of	1898	467	13
damages to property, recovery of	*1902	464	
draw, without	1899	180	
highway bridge, temporary	1898	467	1
loan for	1898	467	11
corporation to construct	*1791	62	
	*1792	21	
	*1792	87	
maintenance, etc.	1898	467	14
appointment of commission	1898	467	14
defect, etc., in, liability for	1898	467	14
management, etc.	1898	467	14
name changed to Longfellow bridge	1927	33	
street railway, location on	1898	467	4
	1906	520	30
wharf, property above, owner may receive damages	*1902	464	
<i>See also LONGFELLOW BRIDGE; WEST BOSTON BRIDGE</i>			
CAMBRIDGE BRIDGE COMMISSION			
Brookline Street bridge, construction by	1904	391	
Cambridge bridge, construction by	1898	467	
	1899	180	
Essex street, ward twenty-five, grade crossing at, to abolish	1904	391	
membership, etc.	1898	467	3
powers and duties	1898	467	
	1904	391	
<i>See also BOSTON AND CAMBRIDGE BRIDGES COMMISSION, SO CALLED</i>			
CAMBRIDGE CONNECTION, SO CALLED			
construction, etc.	1906	520	23
contract for use, term, rental, etc.	1911	741	30, 34, 38
excess rentals, how applied	1911	741	37
<i>See also CAMBRIDGE SUBWAY</i>			

	Year	Chapter	Section
CAMBRIDGE GREAT BRIDGE			
draw in, construction	*1838	166	
reconstruction, etc.	*1862	65	
<i>See also</i> WESTERN AVENUE BRIDGE			
CAMBRIDGE STREET			
Allston, in, width, established	*1893	305	
Charlestown, in, grade crossing on, abolition	*1900	471	
traffic circle at Charles street and, construction	*1929	371	
sidewalks in connection with, construction	1931	362	
widening, etc.	*1923	489	
	*1929	352	
alterations in certain structures	*1924	403	
in connection with certain subway construction	1911	741	10
CAMBRIDGE STREET SUBWAY			
city to hold, etc., in its proprietary capacity	1902	534	19
commonwealth, not to take, except, etc.	1902	534	19
construction, loan	1897	500	5
	1906	520	23
connection with East Boston tunnel, etc.	1902	114	1
<i>See also</i> CAMBRIDGE, Cambridge street subway in			
CAMBRIDGE SUBWAY			
Boston Elevated Railway Company, rights, etc., in	1906	520	27
Charles Street station, construction and use	1924	444	1
	1931	362	
construction	1906	520	
	1924	444	
	1931	362	
payment for	1906	520	23
terms and conditions of	1906	520	20
contract for use of	1906	520	23
Harvard Square station, alterations in	*1925	321	
routes	1906	520	23
taxation of, regulated	1906	520	26.
<i>See also</i> CAMBRIDGE CONNECTION, SO CALLED; MAIN STREET SUBWAY			
CANAL BRIDGE			
<i>See</i> CRAIGIE BRIDGE			
CANAL STREET			
land between Haverhill street and, transfer of certain, to city	1897	347	
leasing or sale, authorized	1915(S)	178	
widening	1895	440	5
CANTERBURY STREET			
acquisition of certain land for improvement of	*1919(S)	224	
inclusion in certain highway	1930	420	
	1931	454	
CARGO			
contagious diseases, affected with, regulations con- cerning	1816	44	6
CARLETON STREET			
laying out, etc.	*1900	139	
CARRIAGES, HACKNEY			
<i>See</i> HACKNEY CARRIAGES and HACKNEY STANDS			
CAUCUSES			
abolished as to municipal offices	1909	486	52
acts relative to	*1894	504	
	*1895	489	
	*1895	502	
	*1895	507	
	*1896	109	
	*1896	435	
	*1897	530	
	*1899	346	
	*1904	179	

	Year	Chapter	Section
CAUCUSES — <i>Concluded</i>			
arts relative to (<i>concluded</i>)	*1906	444	
	*1907	560	
	*1911	353	
<i>See also</i> ELECTIONS			
CAUSEWAY STREET			
widening, loan	*1927	261	
CEDAR GROVE CEMETERY			
care, maintenance, etc.	*1868	68	
	*1874	89	
transfer and management	*1887	237	
CELLARS			
<i>See</i> BUILDING LAW			
CEMETERIES AND BURIAL GROUNDS			
Cedar Grove cemetery, care, maintenance, etc.	*1868	68	
	*1874	89	
transfer and management	*1887	237	
city may establish in any town	1849	150	
regulations for	1849	150	
Dorchester South Burying Ground, disposal of portion of	*1915(S)	80	
Evergreen cemetery, not to be under control of park commissioners	1900	320	
Forest Hills cemetery, titles to lands in, confirmed	*1855	176	
Mount Hope cemetery, annexed to Boston	1872	197	
control of	1897	375	2
established	1849	150	
management, etc.	*1889	265	
public burying ground in	1897	375	2
Roxbury, in, relative to	*1848	79	
Walter street, on, taking of portion	*1892	292	
	*1901	488	
Warren cemetery, disposal of	*1920	66	
taking for school purposes, validated	*1927	78	
West Roxbury, in, relative to	*1856	124	
CEMETERY DEPARTMENT			
established	1897	375	
Mount Hope cemetery, powers and duties as to	1897	375	2
powers and duties	1897	375	
CEMETERY TRUSTEES, BOARD OF			
appointment, terms, etc.	1897	375	1
powers and duties	1897	375	2
receipts, certain, payment into city treasury	1913	117	
CENSUS			
decennial, taking of	*1875	93	
CENTRE STREET			
parkway, maintenance as	1929	248	1
reconstruction of portion, loan for	1929	248	
	1931	2	
CERTIFICATES			
official, of registrar, seal on	1898	389	
CHAISES			
<i>See</i> COACHES			
CHAPMAN STREET			
Charlestown, in, widening, confirmed	*1864	123	
CHARITABLE ASSOCIATION OF THE BOSTON FIRE DEPARTMENT			
benefits, payment to certain members, etc.	1829	44	1
	1916(S)	82	1
Boston protective department, members of, may join	1874	343	
by-laws, etc.	1829	44	3
funds of, investment	1838	131	2
treasurer may add donations to	1838	131	3
income of investments, how applied	1838	131	2
incorporated	1829	44	

	Year	Chapter	Section
CHARITABLE ASSOCIATION OF THE BOSTON FIRE DEPARTMENT — <i>Concluded</i>			
membership in, fees for	1838	131	
	1874	343	
who entitled to	1829	44	1
	1838	131	
	1874	343	
	1916(S)	82	2
property, may hold	1829	44	2
CHARLES RIVER			
basin (<i>See</i> CHARLES RIVER BASIN)			
bridges over (<i>See</i> BRIDGES, Charles river, over; and under names of specific bridges)			
dam (<i>See</i> CHARLES RIVER BASIN, dam)			
embankment (<i>See</i> CHARLES RIVER BASIN, em- bankment)			
flats in, covering of certain, with a pile structure . . .	*1884	327	
filling, etc., of certain	*1866	247	
taking of certain	1903	465	6, 12
	1906	402	4
nuisance in, abatement, etc., of certain	1866	247	
pile structure in, construction on certain flats . . .	*1884	327	
plankway or promenade over waters of, construction, etc.	*1881	197	
sea walls in, construction on, etc.	*1866	167	
	*1866	247	
	*1881	92	
	*1886	65	
	*1886	134	
	*1891	344	
	*1893	435	
<i>See also</i> CHARLES RIVER BASIN			
sewage, Newton may discharge into	1877	144	
removal from	1903	465	7
sewerage system, connection with municipal system .	*1897	502	
sewerage works in (<i>See</i> CHARLES RIVER BASIN, sewerage works within watershed of)			
tide water flats, taking of certain	1903	465	6, 12
	1906	402	4
wharf property on, above Cambridge bridge, recovery of damages for	*1902	464	
CHARLES RIVER BASIN			
abutting owners, enforcement of provisions of act, etc., may apply to court	1903	465	15
advance apportionments for	*1909	175	
"basin", elevated railway structure not included in .	1909	524	2
word construed	1909	524	2
	1911	587	1
boat house, etc., in, control, etc.	1909	524	4
	1911	424	
Boston and Maine Railroad, structures, etc., in, removal of, by	1903	465	14
Broad canal, abutting owners, enforcements of provisions of act, etc., may apply to court	1903	465	15
care, control, etc., of	1903	465	7
	*1906	368	
	1909	524	
	1911	424	
commission (<i>See</i> CHARLES RIVER BASIN COM- MISSION)			
Cottage Farm bridge, construction, filling in part of, in connection with	1926	327	2
Craigie bridge, removal of	1903	465	3
	1905	65	

	Year	Chapter	Section
CHARLES RIVER BASIN — <i>Continued</i>			
dam, construction, etc.	*1895	531	
	1903	465	3
	1905	65	
	*1906	368	
control, etc.	1903	465	7
	*1906	368	
	1909	524	
	1911	424	
elevated railway route over, construction, etc. .	1906	520	21
limits of	1909	524	2
	1911	587	
lock in, provision for	1903	465	3
location	1903	465	14
operation	1903	465	7
maintenance	1903	465	3, 9
	1909	524	3, 4
	1911	424	
payment	1903	465	9
	*1909	175	
new highway from, to Nashua street, construction,			
loan	*1927	261	
operation, etc., of	1903	465	3
	1905	65	
	*1906	368	
traffic circle at easterly end, construction . .	*1929	371	
dredging, etc.	1903	465	4
embankment, betterment assessments in connection			
with	1906	402	4
construction, etc.	*1881	92	
	*1886	65	
	*1886	134	
	*1891	344	
	*1893	435	
	1903	465	11
	1906	402	3
balance due on account of, payment	*1925	251	
	*1926	218	
loan for, Boston, by	1903	465	13
	1906	402	5
commonwealth, by	1906	402	5
<i>See also, infra</i> , loan for			
land for, taking, etc.	*1908	445	
	1903	465	12
	1906	402	4
sea walls on (<i>See, infra</i> , sea walls in; CHARLES			
RIVER, sea walls in)			
expenses of, apportionment	1903	465	9
	1906	402	2
	*1909	175	
payment, loan	1903	465	8
	1906	402	1
high pressure fire service, construction in, etc. .	1911	312	
	1916(S)	175	
appropriations for, regulated	1911	312	2
improvement for recreational and other purposes .	*1929	371	
	*1931	179	
lands, etc., for, taking, etc.	1903	465	6
Lechmere canal, abutting owners, enforcement of pro-			
visions of act, etc.	1903	465	15
loan for, commonwealth, by	1903	465	8
	1906	402	1
sinking fund, balance due, payment into	*1925	251	
	*1926	218	
surplus in, disposition	*1925	251	
	1926	218	

	Year	Chapter	Section
CHARLES RIVER BASIN — <i>Concluded</i>			
maintenance of	1903	465	3, 9
	1906	402	2
	1909	524	4
	1911	424	
marginal conduits, construction of	1903	465	5
metropolitan park system, to be a part of	1903	465	7
	1909	524	
	1911	424	
navigable channels, dredging, etc.	1903	465	4
northerly limit of, finally fixed and determined	1906	402	4
operation and maintenance of, responsibility for	1909	524	
	1911	424	
park on westerly bank of (<i>See, supra</i> , embankment)			
parkways along, construction of certain	*1929	371	
	*1931	179	
railroad location over, at Cottage Farm bridge, provision for certain	1924	416	
sea walls in, construction, etc., of certain	1903	465	
	1906	402	3
<i>See also</i> CHARLES RIVER, sea walls in			
sewage, removal from	1903	465	7
sewerage works within watershed of, approving board for, establishment, powers, duties, etc.	1918(S)	74	
	*1920	296	
board of approval, plans and records of	*1908	376	
salaries and expenses	*1908	376	
	*1909	247	
construction	*1907	485	
	1918(S)	74	
approval of plans	1918(S)	74	
	*1920	296	
expenditures for	*1911	612	
	*1912	348	
loan for	*1908	514	
<i>See also</i> STONY BROOK			
sewers and drains in, construction of certain	1903	465	10
regulated	1903	465	7
sinking fund for loans (<i>See, supra</i> , loan for, sinking fund)			
water, taking from, fire protection purposes, for	1911	312	3
CHARLES RIVER BASIN COMMISSION			
abolished	1909	524	1
bridge, temporary, may build	1903	465	3
	1905	65	
elevated structure, approval of design	1906	520	21
embankment, approach, taking of land for	*1908	445	
established	1903	465	
powers and duties	1903	465	
	1905	65	
transferred to metropolitan park commission	*1906	368	
	1909	524	1
secretary, etc., appointment	1903	465	2
CHARLES RIVER BASIN LOAN SINKING FUND			
<i>See</i> CHARLES RIVER BASIN, loan for, sinking fund			
CHARLES RIVER BRIDGE			
acts relative to	*1841	88	
	*1842	48	
	*1855	253	
	*1865	237	
	*1868	322	
	*1882	138	
agent and draw-tenders, relative to	*1859	186	
approaches to be kept open after discontinuance	1894	548	30
provision repealed	1927	195	1
care, maintenance, etc.	*1874	259	
corporation to construct	*1791	62	

	Year	Chapter	Section
CHARLES RIVER BRIDGE — <i>Concluded</i>			
discontinuance, authorized	1894	548	30
approaches to be kept open after	1894	548	30
provision stricken out	1927	195	1
draw in, widening, etc.	*1869	272	
	*1870	303	
	*1870	401	
	*1872	55	
proprietors of, interest extended	*1792	87	
rebuilding, etc.	*1854	451	
relocation and widening	*1887	398	
repair, etc.	*1870	303	
superintendence of	*1867	66	
CHARLES RIVER DAM			
<i>See CHARLES RIVER BASIN, dam</i>			
CHARLES RIVER EMBANKMENT			
<i>See CHARLES RIVER BASIN, embankment</i>			
CHARLES RIVER PROMENADE			
construction, etc.	*1881	197	
CHARLES RIVER VALLEY			
sewage disposal system for, construction, maintenance, etc.	*1889	439	
CHARLES STREET			
extension	*1855	86	
tracks on, relocation	1913	810	3
traffic circle at Cambridge street and, construction	*1929	371	
sidewalks in connection with	1931	362	
widening, etc.	*1929	371	
CHARLES STREET STATION			
construction and use	1924	444	
	1931	362	
CHARLESTOWN BRIDGE			
approaches to, construction, etc., loan	*1897	346	
construction, etc.	1894	217	
	1894	548	30
loan for	1894	548	37
elevated railway on	1897	500	12
CHARLESTOWN, CITY OF			
annexed to Boston	*1854	433	
	1873	286	
Chapman street in, widening, confirmed	*1864	123	
charter	*1847	29	
	*1847	258	
	*1849	27	
	*1850	106	
Cochituate water pipe in, railroads may tap	*1854	353	
established as a city	*1847	29	
	*1847	258	
	*1849	27	
	*1850	106	
Mystic river, tidegates in	*1863	9	
to maintain fishway in	1861	105	1
Poors' Fund, custody	1825	40	
	1868	301	
	1873	286	
Prison Point bridge, draw in, widening, etc.	*1869	311	12
	*1870	300	
	*1870	401	
Richmond street in, lay out, confirmed	*1864	123	
water, acts providing supply of	*1860	217	
	1861	105	
	*1863	9	
	*1864	176	
	*1865	135	
	*1870	216	

	Year	Chapter	Section
CHARLESTOWN, CITY OF — <i>Concluded</i>			
water, acts providing supply of	*1871	159	
	*1872	85	
Chelsea, may sell to	1861	105	15
	*1865	144	
Malden, may supply to	*1866	212	
Medford, may supply to	1861	105	16
price of, may establish	1861	105	15
Somerville, may supply to	1861	105	15, 16
	*1866	212	
<i>See also</i> CHARLESTOWN, TOWN OF			
CHARLESTOWN DISTRICT			
armory for naval brigade, taking of land, construction, etc.	*1903	304	
	*1913	659	
bridge connecting, construction, etc., of additional	1894	217	
Chelsea Street bridge, so called, construction, etc.	1911	581	
apportionment of cost	1913	341	
Chelsea street in, widening, etc.	*1907	403	
elevated railway structure in, removal	*1915(S)	293	
established	1873	286	
grade crossings, abolition of certain	*1899	421	
	*1900	193	
	*1900	471	
	*1902	317	
	*1912	529	
"Harris Collection", so called, removal, to central library	1900	263	
municipal building, construction in	*1931	347	
navy yard, land near, certain, jurisdiction ceded to United States	1900	247	
parks in, construction of certain, loan for	*1890	271	
	*1890	444	
Prison Point bay, filling of flats, etc., in	*1878	197	
	*1881	238	
	*1883	144	
	*1911	142	
public boat landing, Mystic river, in			
Rutherford avenue in, height of buildings on portion of, regulated	1907	416	
Somerville authorized to construct a certain sewer in	*1883	87	
tunnel or subway in, construction	*1915(S)	293	
water works, land in Winchester used for, conveyance authorized	*1897	377	
CHARLESTOWN FREE SCHOOLS, TRUSTEES OF			
incorporated	*1792	83	
	*1799	77	
CHARLESTOWN POORS' FUND, TRUSTEES OF THE			
incorporated	1825	40	1
powers and duties	1825	40	1
	1868	301	
	1873	286	12
CHARLESTOWN PUBLIC LIBRARY			
annexation of Charlestown, as affecting	1873	286	12
	1900	263	
CHARLESTOWN SCHOOL TRUST FUND			
management, etc., by School Committee of the City of Boston	1877	53	3.
	1900	235	
	1902	262	
CHARLESTOWN STREET			
avenue from Commercial street to, construction	*1895	498	
bridge approach, construction of portion, as, loan	*1897	346	
widening, etc.	*1895	498	

	Year	Chapter	Section
CHARLESTOWN, TOWN OF			
annexation of portion of, to West Cambridge	*1842	24	
ferry between Boston and, regulated	*1710-11	1	
	*1724-25	12	
	*1749-50	2	
fire department, enginemmen, number of, increased	*1799	88	
fire prevention in	*1748-49	14	
incorporated as a city	*1847	29	
Poors' Fund, custody, etc., of	1825	40	3
	1873	286	12
income from	1825	40	3
	1868	301	
<i>See also</i> CHARLESTOWN, CITY OF			
CHARTERS			
Boston, original city charter	1821	110	
revised	1854	448	
	1895	449	
	1909	486	
Charlestown	*1847	29	
	1847	258	
	*1849	27	
	*1850	106	
Roxbury	*1846	95	
CHATTEL LOAN COMPANY			
incorporated	*1907	415	
CHELSEA			
bridge over Chelsea creek connecting Breed's Island and,			
construction, etc.	1887	374	
	*1894	165	
Chelsea bridge, reconstruction of portion, by	*1876	106	
continuance as part of Suffolk County, provisions			
relative to	1831	65	
county purposes, not to be taxed for	1909	490	52
court houses, etc., in, care and management of	1831	65	
transfer to Boston	1831	65	
incorporated	*1738-39	17	
united with Boston	*1874	313	
	*1874	357	
water supply, agreements, certain, relative to, confirmed	*1886	351	
Charlestown may furnish	1861	105	15
	*1865	144	
CHELSEA BRIDGE			
act relative to	*1868	309	
construction, repair, maintenance	1911	581	
apportionment of cost	1913	341	
loan in connection with	1919(G)	78	
corporation to build	*1801	63	
grade crossings on, abolition of	*1892	374	
maintenance	*1878	41	
	*1880	159	
reconstruction	*1876	106	
	*1880	159	
CHELSEA-BRIDGE AVENUE			
abolition of grade crossings on	*1892	374	
CHELSEA CREEK BRIDGE			
construction, etc.	*1894	165	
	*1903	353	
	*1911	581	
CHELSEA FREE BRIDGE			
<i>See</i> CHELSEA STREET BRIDGE			
CHELSEA NORTH BRIDGE			
repair, etc., loan	1934	342	
CHELSEA POINT BRIDGE			
corporation to construct, etc.	*1835	100	
	1849	106	
tolls on, authorized	*1843	91	

	Year	Chapter	Section
CHELSEA SOUTH BRIDGE			
permanent draw for, construction, loan for	1921	345	
CHELSEA STREET			
widening	*1907	403	
CHELSEA STREET BRIDGE			
construction, repair, maintenance	1911	581	
apportionment of cost	1913	341	
loan in connection with	1919(G)	78	
corporation to construct, etc.	*1834	130	
	1849	109	
CHESTNUT HILL RESERVOIR			
construction	*1865	131	
grounds, to be under control of park commissioners	1899	274	
	1900	320	
land near, may be sold	1899	274	3
land used for cemetery purposes not to be under control of park commissioners	1900	320	
CHESTNUT STREET			
Brookline authorized to lay sewers in	1887	331	
CHILDREN			
committed to jails, etc., transfer of	1825	182	6
directors of house of industry may bind out	1826	111	
education, overseers may bind out certain, for purposes of	1735-36	4	5, 6
house of reformation, courts may sentence to	1825	182	3
indigent and neglected, care of	*1900	397	
parental school, releases from	*1896	514	
public institutions, confined in, powers of trustees for children as to	1897	395	3
Randidge fund, excursions for	1896	216	
receiving benefit of John Boylston's charitable dona- tion, may be bound out during minority,	1813	171	
<i>See also</i> JUVENILE OFFENDERS			
CHILDREN, TRUSTEES FOR			
established, title, etc.	1897	395	3
<i>See also</i> CHILDREN'S INSTITUTIONS DEPART- MENT, trustees			
CHILDREN'S INSTITUTIONS DEPARTMENT			
bequests, etc., for, acceptance, etc.	1897	395	8
children confined in institutions, powers of trustees as to established	1897	395	3
	1897	395	1
property given, granted, etc., to, holding, use, etc.	1897	395	8
reorganization and consolidation, authorized	1919(S)	222	
trustees, appointment, term, etc.	1897	395	1, 2
city contracts, private interest in certain, forbidden,	1897	395	2
female truants, etc., committed to charge of	1911	202	
mayor, conferences with, holding	1897	395	7
organization, etc.	1897	395	2
powers and duties	1897	395	3
	*1900	397	
	1911	202	
qualifications	1897	395	1
reformation, house of, powers, etc., as to	1897	395	3
Suffolk School for Boys, temporary permits to be at liberty from, issuance by	1917(S)	200	
title established	1897	395	3
to serve without compensation	1897	395	2
vacancy, filling of	1897	395	2
<i>See also</i> INSTITUTIONS DEPARTMENT			
CHILMARK STREET			
relocation of	*1897	380	
CHOCOLATE			
<i>See</i> COCOA			
CHRONIC DISEASES			
hospital for, establishment	1901	518	

	Year	Chapter	Section
CHURCHES			
moving picture exhibitions in, permits for	1913	280	
CINEMAS			
See MOVING PICTURES			
CITIES AND TOWNS			
adjoining Boston, park commissioners for, appointment, etc.	1875	185	16
CITY ARCHITECT			
See ARCHITECT, CITY			
CITY AUDITOR			
See AUDITOR, CITY			
CITY CLERK			
See CLERK, CITY			
CITY COLLECTOR			
See COLLECTOR, CITY			
CITY COUNCIL			
appointment to certain other offices, prohibited	1885	266	3
appropriations, municipal purposes, for, powers and duties as to	1909	486	3
school purposes, for, additional, may pass	1936	224	2
transfers of, approval by	1893	261	
borrowing capacity of city within debt limit, to be certified to	1891	93	
Boston protective department, may make regulations as to right of way in streets	1874	61	3
Boston transit commission, salaries of, may provide . .	1894	548	23
to make annual report to	1894	548	24
Boston water board, establishment by	1875	80	1
bridges, certain, between Chelsea and Boston, con- struction, etc., duties as to	1911	581	
budget, duties as to	1909	486	3
building commissioner, salary, establishment by, etc. .	1907	550	1
building limits, powers as to	1907	550	9
certain votes passed by, validated	1899	450	4
Chestnut Hill reservoir, sale of grounds near, powers as to	1899	274	
"City Record", publication, duties as to	1909	486	29
	1934	185	
clerk, city, election by	1885	266	2
	1909	486	22
clerk of, city clerk to act as	1909	486	22
clerk of committees of, assistant, office abolished . .	1909	486	1
exempted from certain provisions	1885	266	2
office abolished	1909	486	1
coliseum building, power to remove	*1872	361	
collector, election, etc., by	1875	176	1
composition, wards, one councillor from each	1924	479	14
contracts, duties as to certain	1909	486	6
members not to be interested in	1909	486	8
correction, houses of, may establish more than one .	1825	182	7
department heads, information, certain, may require from	1899	478	1
proceedings upon neglect or refusal	1899	478	2, 3
East Boston, ferry, powers as to	1899	155	
tunnel, abolition of tolls of, duties as to	1915(S)	184	
eldest member, when to preside	1909	486	50
election	1909	486	48
	*1914	646	
	*1920	471	
	1924	479	14
nomination for, number of signatures required	1909	486	53
	1914	730	4
wards, by	1924	479	14

CITY COUNCIL — *Continued*

	Year	Chapter	Section
election commissioners, board of, salaries of, powers as to	1895	449	3
	1913	835	79
elections by, recording of votes	1909	486	51
viva voce vote, to be made by	1909	486	51
employees, certain, exempted from certain provisions	1885	266	2
engineers, board of, powers of, transferred to	*1878	45	
expenses incurred by members, city not to pay	1909	486	49
fees for certain licenses and permits and for the qualifi- cation or warrant of certain officers, fixing by, etc.	1931	297	
finance commission, appropriations for, powers as to	1909	486	20
financial report, annual publication by	1854	448	51
fire commissioner, salary, powers as to	1895	449	9
fire department, annuities to widows, etc., of certain members, appropriations for	1880	107	3
call firemen, pensions to certain former, granting by *1912		574	
delegation of powers as to	1850	262	2
establishment by	1850	262	1
pensioning of members of, appropriations for	1880	107	3
powers as to	1850	262	1
right of way in streets, may regulate	1873	374	1
harbor master, may appoint	*1847	234	
high pressure fire service, construction, appropriations by	1911	312	2
hospital, city, powers as to	1858	113	2
	1880	174	
house of correction, may appoint master of	1824	28	3
may appoint overseers of	1824	28	2
regulations for, approval, etc.	1824	28	2
house of industry, may appoint directors of	*1833	126	
ineligibility of members for other offices	1854	448	43
	1884	115	
	1885	266	3
	1906	231	1
information, certain, department heads, may be required from	1899	478	1
proceedings upon neglect or refusal	1899	478	1, 2
mayor, may be required from	1909	486	7
insane persons, may pass ordinances as to	1857	35	3
institutions commissioner, salary, powers as to	1895	449	14
juvenile offenders, may erect building for	1825	182	1
land sales or purchases, provisions as to	1909	486	2
licenses and permits, fees for certain, fixing by, etc.	1931	297	1
loan orders, origination by	1909	486	2
presented by mayor, duties as to	1909	486	2
	1933	113	
	1934	220	
more prompt action on, provision for	1934	220	
temporary loans, for, special provision as to	1933	113	
loans passed by (<i>See, supra</i> , loan orders)			
mayor, information, etc., may furnish to	1854	448	46
may address at any time, etc.	1909	486	7
questioning of, by	1909	486	7
recommendations by, to	1854	448	46
	1909	486	2
	1933	113	
	1934	220	
specific information, may be requested of	1909	486	7
summoning by	1854	448	46
vacancy in office of, duties as to	1909	486	47
	1914	730	3
	1924	479	7
meeting for determining number of representatives, time for	*1831	38	

	Year	Chapter	Section
CITY COUNCIL — <i>Continued</i>			
members, eldest, when to preside	1909	486	50
election	1909	486	48
	*1914	646	
	*1920	471	
	1924	479	14
nomination for, number of signatures required	1909	486	53
	1914	730	4
ineligible for other offices	1854	448	43
	1884	115	
	1885	266	3
	1906	231	1
oath of office, administration to	1854	448	27, 28
park commissioners not to be	1875	185	1
qualification, etc.	1909	486	50
salaries of	1909	486	49
increased	1930	348	
terms of office	1909	486	48
	1924	479	14
trustees of public library, not to be	1878	114	3
vacancies, filling of	1909	486	50
	1924	479	15
nomination and election of members (<i>See, supra</i> , mem- bers, election)			
oath of office, administration to members	1854	448	27, 28
officers and boards accountable to, for public money	1854	448	51
officers, qualification or warrant of certain, fees for, fixing by, etc.	1931	297	2
offices, certain, members ineligible for	1854	448	43
	1884	115	
	1885	266	3
	1906	231	1
establishment, etc., by	1909	486	1
ordinances, duties, etc., of officers, fixing by, authorized	1881	229	1
origination by	1909	486	2
presented by mayor, duties as to	1909	486	2
organization	1854	448	27
absence of mayor elect, proceedings in case of	1854	448	28
overseers of the poor, elected by	1864	128	2
powers as to	1864	128	
park commissioners, powers and duties as to	1875	185	1, 2
park loans, to establish sinking fund	1875	185	12
parks, may issue bonds for	1875	185	12
police department, organization, etc., powers as to	1853	354	
poor, temporary relief of, may appropriate for	*1874	374	
powers and duties in general	1854	448	35
	1909	486	1-3, 50
	1924	479	15
president of, election, duties, etc.	1909	486	50
mayor, acting, to perform duties of	1909	486	47
school committee, filling of vacancy in, duties as to	1937	366	
proceedings of, publication in "City Record"	1909	486	29
property, city, care and custody	1854	448	39
may purchase	1854	448	39
public buildings, care and custody, to have	1854	448	39
public institutions, board of directors of, may pass ordinances, etc.	1857	35	3
directors of public institutions, to elect	1857	35	1
powers as to	1857	35	
public library, powers as to	1853	38	1
	1878	114	
not to be trustees of	1878	114	2
public urinals, may establish	1876	65	
public ways, construction, etc., of, raising of money for, by	*1906	214	
qualification, etc., of members	1909	486	50

	Year	Chapter	Section
CITY COUNCIL — <i>Concluded</i>			
recommendations by mayor to	1854	448	46
	1909	486	2
	1933	113	
	1934	220	
rules for its proceedings, establishment	1909	486	50
salaries of members	1909	486	49
increased	1930	348	
salary reduction, powers and duties as to	1933	121	
school appropriations, additional, may pass	1936	224	2
school buildings, construction, alteration, etc., powers and duties as to	1875	241	6
	*1889	297	
	*1899	362	
transferred to board of schoolhouse commissioners, school committee, members of city council may not become members of	1901	473	2
	1906	231	1
schools, superintendent or assistant superintendents, members ineligible for office of	1906	231	1
sewers, appropriations for	1897	426	1
	1898	257	1
	1899	450	1
	1903	268	1
	1908	204	2
	1930	178	1
sidewalks, construction, etc., powers and duties as to	1916(S)	269	
	1917(S)	196	
may empower surveyors, etc., to regulate	*1833	128	
sinking fund to meet park loans, to establish	1875	185	12
slaughtering, inspectors of, to establish salaries of	1876	144	4
specific information, mayor may be requested to give	1909	486	7
street commissioners, board of, clerk, compensation, fixed by	1870	337	5
compensation, fixed by	1870	337	4
	*1879	198	
vacancy in, filling by	1870	337	6
streets, laying out, alterations, etc., duties as to certain, estimates of cost, submission to, in certain cases	1912	661	
	1870	337	3
	1872	322	
subway commissioners, powers as to	1893	478	
taxes, county and city, separate or combined assess- ment of, powers as to	1909	490 (Pt. I)	52
terms of office of members	1909	486	48
	1914	646	
	1920	471	
	1924	479	14
extension of certain	1924	479	1
vacancies in, filling of	1909	486	50
	1924	479	15
vehicles and their loads, size and shape of, regulation by	1880	134	
votes authorizing sewer bonds, validated	1899	450	4
votes of, approval or rejection	1909	486	4
to be submitted to mayor for approval	1909	486	4
wards, redivision of city into, by	*1875	243	
	*1914	630	
watch department, may unite with police department	1853	354	1
water commissioner, salary, powers as to	1895	449	12
to appoint	1846	167	3
water, may regulate price of	1846	167	11
written questions to mayor, provisions as to	1909	486	7
CITY ENGINEER			
<i>See</i> ENGINEER, CITY			
CITY GOVERNMENT			
Boston			
established in	1821	110	
reorganized	*1897	361	
	*1897	440	

	Year	Chapter	Section
CITY GOVERNMENT — <i>Concluded</i>			
Boston — <i>Concluded</i>			
revised	1854	448	
	1895	449	
	1909	486	
Charlestown, established in	*1847	29	
	*1847	258	
	*1849	27	
	*1850	106	
	*1846	95	
Roxbury, established in	*1846	95	
CITY HALL			
annex, height of	1912	582	
CITY HOSPITAL			
<i>See</i> HOSPITALS, city			
CITY MESSENGER			
<i>See</i> MESSENGER, CITY			
CITY OF BOSTON			
incorporated	1821	110	1
corporation continued	1854	448	1
CITY OF CAMBRIDGE			
<i>See</i> CAMBRIDGE			
CITY OF CHARLESTOWN			
<i>See</i> CHARLESTOWN, CITY OF			
CITY OF CHELSEA			
<i>See</i> CHELSEA			
CITY OF NEWTON			
<i>See</i> NEWTON			
CITY OF ROXBURY			
<i>See</i> ROXBURY, CITY OF			
CITY OF SOMERVILLE			
<i>See</i> SOMERVILLE			
CITY PHYSICIAN			
<i>See</i> PHYSICIAN, CITY			
CITY RECORD			
publication, contents, etc.	1909	486	29, 30
	1934	185	
traffic rules and regulations, publication in	1929	263	2
CITY REGISTRAR			
<i>See</i> REGISTRAR, CITY			
CITY SOLICITOR			
<i>See</i> LAW DEPARTMENT; SOLICITOR, CITY			
CITY SURVEYOR			
<i>See</i> SURVEYOR, CITY			
CITY TREASURER			
<i>See</i> TREASURER			
CIVIL SERVICE			
abolition of departments, etc., reappointment of em-			
ployees under, to similar positions	1936	152	
assessors, first assistant, placed under	1913	484	
Boston Port Authority, employees, not subject to	1930	236	
collecting department, officers and employees placed			
under	1913	672	
departments, abolition of, etc., reappointment of em-			
ployees under, to similar positions	1936	152	
election department, assistant registrars of voters in,			
placed under	1920	305	
assistants in, offices placed under	1929	137	
hay scales, superintendent of the north city, placed			
under	1915(S)	219	
house of correction, employees placed under	1915(S)	116	
mayor, office force of, exempt from	1909	486	15
police commissioner, certain employees of, placed under	1934	86	
police department, removals, suspensions, etc., in, pro-			
visions as to	1923	242	3
tenure of office of officers under	1923	242	3

	Year	Chapter	Section
CIVIL SERVICE — <i>Concluded</i>			
public buildings, superintendent of, employees of, certain, placed under	1920	314	
registrars of voters, assistant, office placed under	1920	305	
school buildings, engineers, janitors, etc., in charge of steam boilers in, placed under	*1889	352	
scrubwomen, widows registering for position of, preference under	1923	476	
treasury department, officers and employees placed under	1913	672	
truant officers placed under	*1893	253	
widows registering for position of scrubwomen, preference under	1923	476	
women police officers, listing	1920	211	
CIVIL SERVICE COMMISSION			
constitutional amendment relative to necessities of life, certain appointments under, to be approved by	*1918(G)	205	
department heads, etc., appointment, approval by, required	1909	486	10, 11
gas fitting, inspectors of, examination by	1897	265	5
laborers, incapacitated, wages, may certify	1909	332	
pay rolls, etc., certificate on, proceedings to obtain to bear certificate of	1908	210	3
	1908	210	1
	1909	332	
CIVIL WAR			
veterans of (<i>See</i> VETERANS, civil war, of)			
CLAIMS			
cancellation of certain, authorized	*1916(S)	291	
	1934	353	
<i>See also</i> BILLS AND ACCOUNTS			
CLAMS			
Thompson's island, certain right to dig at, preserved	1834	102	
	1878	78	
CLERK, CITY			
city council, clerk of, to act as	1909	486	22
contracts with city, duties as to	1909	486	8
election by city council	1854	448	30
	1885	266	2
	1909	486	22
powers and duties	1854	448	30
term, etc.	1854	448	30
	1909	486	22
vacancy in office of, filling	1854	448	31
CLERK OF COMMITTEES			
assistant, office abolished	1909	486	1
exempted from certain provisions	1885	266	2
office abolished	1909	486	1
CLINTON STREET			
extension	*1854	279	
	*1854	403	
widening	*1895	498	
COACHES			
taxes on	*1743-44	5	
COAL			
sale, regulated	*1796	67	
survey, etc., regulated	*1830	27	
COAL HOLES			
public ways, in, regulated	1909	486	28
COASTING			
permits for	1909	486	28
COCHITUATE, LAKE			
black bass, taking in, prohibited	*1870	382	
sewerage, discharge into, prohibited	*1875	228	
<i>See also</i> WATER, Lake Cochituate, of			

	Year	Chapter	Section
COCHITUATE WATER BOARD			
abolished	1875	80	2
established	1846	167	
powers and duties	1846	167	
<i>See also</i> WATER			
COCOA			
roasting, regulated	*1785 1817	15 171	6
COLISEUM BUILDING			
removal	*1872	361	
COLLATERAL LOAN COMPANY			
directors, election, etc.	1876	11	
mayor to appoint one	1876	11	
incorporated	1859	173	
	1876	11	
name changed from Pawner's Bank	*1869	428	
COLLECTING DEPARTMENT			
city collector (<i>See</i> COLLECTOR, CITY)			
officers and employees, civil service, placed under	1913	672	
COLLECTOR, CITY			
assessments or taxes, abatement of certain, by	*1916(S) 1934	291 353	
	1875	176	1
bond, to give			
buildings and lands owned by city and leased for busi- ness purposes, taxation of, duties as to	1922	390	
claims, cancellation of certain, by	*1916(S) 1934	291 353	
	1875	176	1
compensation	1875	176	1
election, term, etc.	1875	176	
fees for certain street licenses, receipt to street com- missioners for	1907	584	7
office established	1875	176	
powers and duties	1875	176	
removal	1875	176	2
superior court, sum of money paid by clerk of, to, dis- position	1937	128	
COLLECTOR, TOWN			
appointment, etc.	*1708-09 *1813	6 62	
certain powers	*1763-64	18	
COLLEGE, TEACHERS			
<i>See</i> TEACHERS COLLEGE OF THE CITY OF BOSTON, THE			
COLUMBIA ROAD			
construction, etc.	1897	394	
betterment assessments on account of, abatement of portion	*1911 *1912	415 339	
COLUMBUS AVENUE			
construction, etc., loan for	*1895 *1896 *1898 *1894	334 209 236 416	
extension			
COMBUSTIBLE MATERIALS			
fire department, powers as to	1850	262	3
<i>See also</i> EXPLOSIVES AND INFLAMMABLE FLUIDS AND COMPOUNDS			
COMMERCIAL FREIGHT RAILWAY COMPANY			
affected	1876	229	3
incorporated	*1866	267	
COMMERCIAL STREET			
extension	*1833	185	
widening, etc.	*1895 *1897	498 446	
COMMERCIAL WHARF			
extension	*1847	145	

	Year	Chapter	Section
COMMISSIONER OF INSTITUTIONS			
See INSTITUTIONS, COMMISSIONER OF			
COMMISSIONS AND COMMISSIONERS			
See BOARDS, in general; and under names of specific boards, commissions, etc.			
COMMITTEES			
political, election of	1909	486	34
COMMON			
See BOSTON COMMON			
COMMON COUNCIL			
abolished	1909	486	1
clerk of, office abolished	1909	486	1
consolidated with board of aldermen	*1897	361	
election of members, wards 22 and 25, from	*1888	175	
	*1891	88	
ineligibility of members for other offices	1854	448	43
	1884	115	
number of members established	*1875	243	
	*1887	210	
oath of office, administration to members	1854	448	27, 28
organization	1854	448	27
absence of mayor elect, proceedings in case of	1854	448	28
powers and duties	1854	448	35
salaries for members	*1896	410	
See also CITY COUNCIL			
COMMON VICTUALLERS			
See INNOLDERS AND COMMON VICTUALLERS			
COMMONWEALTH			
Back Bay, indenture concerning lands in, validated	1857	169	
	1866	68	
Back Bay district, land restrictions imposed by, in, removal of certain	1927	246	
buildings owned by, exempt from building law	1907	550	10
insane persons, care of, transfer to	*1908	613	
Marine Park in South Boston, exchange of certain land with, for purposes of	*1928	264	
Mill Dam road, roads connecting, belonging to, relative to	*1868	291	
pensions paid by city to certain retired teachers, reimbursement by, disposition of sums payable as	1916(S)	289	
	1924	249	
	1924	251	1
	1928	382	4
surface drain across certain land of, laying and maintenance, authorized	1916(S)	328	
COMMONWEALTH AVENUE			
construction, etc., loan	*1895	334	
	*1896	209	
	*1898	236	
COMMONWEALTH AVENUE UNDERPASS			
construction	1937	173	
expenditures for, loan	1937	173	3
federal grants	1937	173	5
taking of lands, etc., for	1937	173	2
COMMONWEALTH FLATS			
East Boston, in, development, etc.	*1910	648	
improvement of	*1868	326	
South Boston, in, armory for naval brigade, construction, etc.	*1904	405	
playground on (See COMMONWEALTH PLAY-GROUND)			
taxation of certain leasehold estates on	1904	385	
	1909	490 (Pt. I)	12

	Year	Chapter	Section
COMMONWEALTH PLAYGROUND			
agents of Commonwealth may enter	1891	421	
Commonwealth not prevented from disposing of	1891	421	
grade of, city not to change	1891	421	
South Boston flats, city may use portion of, for	1891	421	
structures on, city not to erect permanent	1891	421	
use of, by city to terminate on three months notice	1891	421	
COMPOUNDS			
<i>See</i> EXPLOSIVES AND INFLAMMABLE FLUIDS AND COMPOUNDS			
CONDUCTORS, MOTORMEN, ETC.			
street cars, of, licensing	1879	59	
	1880	99	
	1897	343	
CONDUITS			
<i>See</i> WIRES AND ELECTRICAL APPLIANCES			
CONGRESS STREET			
extension, loan	*1889	283	
grade crossing on, alteration	*1896	535	
CONGRESS STREET BRIDGE			
construction, etc., loan	*1868	326	
	*1925	258	
	1926	157	
CONGRESSES, CONVENTIONS, ETC.			
municipal affairs, on, representation of city at	1914	274	1, 2
increased expenditures authorized	1921	54	
school affairs, on, representation of city at	1914	274	3, 4
CONSTABLES			
bonds of, suits upon, provisions as to	*1814	164	
	1925	171	
fire department, officers and members exempt from serving as	1850	262	4
intruders, duties as to	1735-36	4	7
penal institutions department, in, powers	1913	372	
powers and duties	*1860	147	
	*1869	247	
service of process, powers as to	*1860	147	
	*1869	247	
Town of Boston, in, appointment, duties, etc.	1802	7	
	1807	133	
	1878	266	12
CONSTITUTIONAL AMENDMENT			
enabling cities and towns to deal in necessities of life, appointments under, approval by civil service commission required	*1918(G)	205	
CONSTRUCTION, SUPERINTENDENT OF			
<i>See</i> SCHOOL BUILDINGS, DEPARTMENT OF, construction, superintendent of			
CONSUMPTIVES			
hospital for, trustees of, beds in private hospitals, may hire	*1908	225	
	*1911	167	
	*1915(S)	190	
CONTAGIOUS DISEASES			
board of health, powers as to	1816	44	
smallpox, prevention, etc.	*1763-64	17	
	*1776-77	8	
spreading of, prevention	*1797	16	
<i>See also</i> BUILDINGS, preservation of health in; DISEASES; HEALTH			
CONTRACTS			
art commission, of, approval of mayor	1898	410	6
auditor, duplicate bids, deposit with, etc.	1909	486	24
city council, members of, contracting with city, regu- lated	1909	486	8

	Year	Chapter	Section
CONTRACTS — <i>Concluded</i>			
“City Record”, publication of certain, in	1909	486	29
	1934	185	
publication of invitations for bids in	1909	486	30
corporations, etc., stock ownership, as affecting	1909	486	8
duplicates of bids, deposit, etc., with auditor	1909	486	24
exceeding \$2,000.00, alterations in, regulated	1890	418	6
approval by mayor	1885	266	6
	1890	418	6
bond, etc., to be accompanied by	1890	418	6
deposit with city auditor	1890	418	6
to be in writing	1890	418	6
finance commission, members of, contracting with city, regulated	1909	486	8
mayor, contracting with city, regulated	1909	486	8
members of city government not to be interested in	*1908	522	
	1909	486	8
officers and employees, contracting with city, regulated, overseers of the poor, private interest in contracts for-bidden	1909	486	8
	1864	128	6
penalty for violation of provisions relative to	1909	486	8
powers of officers and boards as to	1885	266	6
	1890	418	5, 6
proposals for, advertisement in “City Record” for to be accompanied by a bond, etc.	1909	486	30
	1890	418	5
quintuplicate, certain to be made in	1909	486	30
refuse, collection and removal, for, regulated	1909	486	6
street lighting, for, regulated	1909	486	6
voidable, when	1909	486	8
COPLEY SQUARE			
Boston Elevated Railway Company, occupation of, by	1894	548	22
height of buildings on or near, regulated	1898	452	
	1920	455	
	1929	338	
land in, exchange with Massachusetts Institute of Technology	1881	107	
granted to Boston for park purposes	1875	195	2
exchange, etc., of certain	1881	107	
granted to Massachusetts Institute of Technology, exchange, etc., of	*1873	174	
	1881	107	
release by commonwealth of certain interest in	1903	438	
reservation of	*1861	183	
COPLEY SQUARE TRUST			
certain parcel owned by, exempted from certain limitations as to height	1920	455	
CORD WOOD			
sale, regulated	*1758–59	16	
	*1772–73	8	
CORRECTION, HOUSES OF			
act relative to	*1834	151	
Deer island, at, buildings, additional, construction, etc.	1896	536	9
	1899	347	1
	1900	473	
employees at, placed under civil service	1915(S)	116	
establishment, etc.	1896	536	9
	1899	347	2
house of industry established as	1896	536	9
laws applicable to	1896	536	10
	1899	347	2
prisoners in, classification, etc.	1896	536	11, 12
	1900	473	2
parole of	1896	536	12
revocation	1896	536	13
transfer of certain prisoners to	1899	347	3
	1900	473	1

	Year	Chapter	Section
CORRECTION, HOUSES OF — <i>Concluded</i>			
South Boston, at, discontinued	1896	536	15
	1900	473	1
juvenile offenders, use for, etc.	1825	182	1, 6
removal of prisoners from	1899	347	3
	1900	473	1
sale of land and buildings	1896	536	15
	1899	347	5
	1900	473	1
Suffolk county, for, act relative to	*1852	113	
certain, established	1824	28	2
children committed to, transfer of	1825	182	6
Deer island (<i>See, supra</i> , Deer island, at)			
expenses of, payment by city	1824	28	3
master, appointment	1824	28	3
compensation	1824	28	2
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construction	1911	741	10
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	1924	120	
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	Year	Chapter	Section
ELECTION COMMISSIONERS, BOARD OF — <i>Con-</i>			
<i>tinued</i>			
ballot law commission, to constitute	1895	449	5
	1913	835	81
powers and duties as	1895	449	5
	1913	835	81
ballots, arrangement of names on, duties as to	1909	486	57
	1913	835	259
delivery to	1895	449	7
preparation by, etc.	1895	449	4
	1909	486	57
candidates for office, lists of, posting and publishing	1895	449	4
chairman, designation	1895	449	3
salary	1895	449	3
	1913	835	79
composition, etc.	1895	449	3
election officers, appointment by	1895	449	4
	1913	835	226
oath of office, administration by	1913	835	236
removal, etc., by	1913	835	229
vacancies in the number of, filling by	1913	835	230
	1919(G)	269	12
established	1895	449	3
Hyde Park, annexation of, duties as to	1911	469	2, 6-9
initiative and referendum, petitions under, certification of signers, by, time for submitting	1920	129	
institutions, names, etc., of persons confined in, duties as to	*1900	241	
	*1901	441	
	1913	835	23
jury list, preparation by	1895	449	4
listing board, notification by, of errors in certain lists	1917(G)	29	8, 9
one commissioner to be member of	1906	291	18
	1917(G)	29	7
transmission by, of copies of certain lists to	1917(G)	29	9
	1921	114	2
listing of persons not previously listed	1917(G)	29	11
	1920	145	
	1921	114	4
applicants to present statement in writing, etc.	1917(G)	29	11
applications not received later than, thirtieth day preceding elections	1917(G)	29	11
twentieth day preceding elections	1920	145	
nomination papers, certification by	1909	486	56
	1914	730	6
	1921	288	2
	1926	105	3
filing with, date for	1909	486	53
	1913	835	203
	1914	730	4
	1918(G)	293	33
	1919(G)	289	21
	1926	105	1
issuance by	1909	486	54, 61
	1913	835	198
	1914	730	5
	1921	340	
	1924	479	17
	1926	105	2
preparation, etc., by	1909	486	53
	1913	835	198
special elections, for, issuance by	1909	486	61
nominations, objections to, notice to candidates, etc., by	1913	835	205
time for filing with	1909	486	56
	1913	835	204

	Year	Chapter	Section
ELECTION COMMISSIONERS, BOARD OF — <i>Con-</i>			
<i>tinued</i>			
nominations, objections to, notice to candidates, etc.,			
by — <i>Concluded</i>			
time for filing with (<i>concluded</i>)	1914	730	6
	1921	288	2
	1926	105	3
vacancies in, substitutions to fill, filing with	1909	486	56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
party enrollment of voters (<i>See, infra</i> , voting lists,			
party enrollment)			
penal, etc., institutions, names of persons confined in,			
duties as to	*1900	241	
	*1901	441	
	1913	835	23
political representation on	1895	449	3
	1913	835	79
powers and duties in general	1895	449	4-6, 8
	*1895	502	
	1909	486	{ 53, 54, 56
	1913	835	{ 57, 60, 61
prisoners, certain, names of, to be transmitted to	*1900	241	8
	*1901	441	
	1913	835	23
recounts, candidates, representation at, powers as to	1895	449	8
	1913	835	332
political parties, representation at, powers as to	1895	449	8
	1913	835	332
powers and duties as to	1895	449	8
registrars of voters, assistant, appointment by	1913	835	80
board of, powers and duties of, conferred upon	1895	449	4
removal of members	1895	449	3
results of elections, determination by	1895	449	4
salaries of, establishment	1895	449	3
	1913	835	79
secretary of election department, appointment by	1895	449	20
	1909	486	15
street lists of voters, preparation, etc., duties as to	1913	835	85
	1919(G)	269	7
	1921	93	2
terms of members	1895	449	3
	1913	835	78, 79
vacancies caused by withdrawals or ineligibility, sub-			
stitutions to fill, filing with	1909	486	56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
voters, registration, annual register of voters, lists of			
names of voters not entered in, prepara-			
tion, etc., by	1929	280	6
notification of voters whose names have			
not been entered in, duties as to	1913	835	76
	1929	280	6
preparation by	1913	835	76
	1915(G)	91	7
	1917(G)	29	12
	1921	114	5
	1929	280	6
women voters, provisions relative to,			
amended	1921	114	5

	Year	Chapter	Section
ELECTION COMMISSIONERS, BOARD OF — <i>Concluded</i>			
voters, registration — <i>Concluded</i>			
applicants for, appearance in person before	1913	835	77, 84
examination under oath, etc.	1913	835	84
books for, preparation by	1913	835	82
.	1921	93	1
general register of voters, preparation by	1895	449	6
.	1913	835	82
.	1921	93	1
powers and duties as to	1895	449	4
.	1913	835	{ 76, 77
.			{ 82-84
sessions for	1913	835	83
.	1915(G)	48	
.	1919(G)	269	6
.	1920	142	
street lists of, preparation, etc., duties as to	1913	835	85
.	1919(G)	269	7
.	1921	93	2
.	1895	449	4
voting, furnishing of places for, by	1913	835	305
voting lists, copies of, as checked, furnishing by	1920	493	2
furnishing, for use of police officers	1913	835	65
delivery to	1895	449	7
pamphlet copies	1913	835	86
.	1919(G)	269	1
party enrollment, certified copies showing, fur-			
nishing by	1920	493	
posting of	1913	835	62
.	1919(G)	269	1
preparation, etc., duties as to	1913	835	60, 85, 86
.	1919(G)	269	1, 7
.	1921	93	2
voting machines, purchase, lease, use, etc., duties as to	1913	835	251
.	1916(G)	43	1
voting precincts, readjustment of, duties as to	1918(G)	74	1
.	1920	636	1
withdrawal of candidates, time for filing with	1909	486	56
.	1913	835	206
.	1914	730	6
.	1921	288	2
.	1926	105	3
<i>See also</i> ELECTIONS			
ELECTION DEPARTMENT			
assistant registrars of voters in, placed under civil			
service	1920	305	
assistants in, appointment, etc.	1895	449	20
.	1909	486	15
.	1929	137	
offices placed under civil service			
election commissioners (<i>See</i> ELECTION COMMISSIONERS, BOARD OF)			
employees, certain, civil service, placed under	1920	305	
.	1929	137	
established	1895	449	2
officers in (<i>See</i> ELECTION OFFICERS)			
powers and duties, not to be abridged	1909	486	5
.	1934	227	
secretary, appointment, etc.	1895	449	20
.	1909	486	15
voting machines, expenses incurred for, deemed an			
expense of	1913	835	251
.	1916(G)	43	1

	Year	Chapter	Section
ELECTION OFFICERS			
appointment, etc.	1895	449	4
	1913	835	226
height of voter, stating by officer in charge of ballot box	1913	835	298
oath of office	1913	835	236
penalties on, for permitting or abetting in violations of			
election laws	1913	835	450
removal of, on day of election	1913	835	229
vacancies in the number of, filling of	1913	835	230
	1919(G)	269	12
ELECTIONS			
acts relative to	*1845		
	*1874	60	
	*1878	243	
	*1879	163	
	*1880	225	
	*1881	221	
	*1881	291	
	*1884	325	
	*1888	175	
	*1889	337	
	*1889	404	
	*1890	401	
	*1891	88	
	*1893	417	
	*1894	271	
	*1894	504	
	*1895	2	
	*1895	61	
	*1895	244	
	*1895	425	
	*1895	489	
	*1895	502	
	*1895	507	
	*1896	109	
	*1896	363	
	*1896	393	
	*1896	435	
	*1896	469	
	*1896	527	
	*1896	547	
	*1897	296	
	*1897	530	
	*1898	401	
	*1898	548	
	*1899	148	
	*1899	323	
	*1899	346	
	*1901	531	
	*1903	279	
	*1903	474	
	*1904	179	
	*1904	245	
	*1905	318	
	*1906	444	
	*1907	560	
	*1908	83	
	*1908	480	
	*1909	440	
	*1910	147	
	*1911	353	
	*1911	550	
	*1912	275	
	*1912	471	

	Year	Chapter	Section
ELECTIONS — Continued			
acts relative to (<i>concluded</i>)	*1912	641	
	*1913	286	
	*1914	611	
	*1917(G)	79	
	*1917(G)	82	
	*1917(G)	109	
	*1918(G)	258	
	*1919(G)	54	
absent voting by voters in military or naval service	1918(G)	293	
annual register of voters (<i>See, infra</i> , voters, registration)			
ballot boxes, care of	1895	449	4
delivery to election commissioners	1895	449	7
ballot law commission, election commissioners to con-			
stitute	1895	449	5
	1913	835	81
powers and duties as	1895	449	5
	1913	835	81, 205
ballots, arrangement of names on	1909	486	57
	1913	835	259
blank spaces on	1909	486	59
	1924	479	19
delivery to election commissioners	1895	449	7
depositing of, officer to state height of voter	1913	835	298
party or political designation, not to contain	1909	486	58
	1924	479	18
preparation, etc.	1895	449	4
	1909	486	57
printing of, contents, etc.	1909	486	57
recounts of (<i>See, infra</i> , recounts)			
safe-keeping of	*1884	325	
	1895	449	
sealing of, etc.	1895	449	4
			7
biennial municipal elections, establishment	1924	479	
candidates for office, death, withdrawal, etc., of, pro-			
ceedings in case of	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
lists of, posting and publishing	1895	449	4
withdrawal of, time for filing	1913	835	206
women may be	1909	486	55
	1921	65	
caucuses for municipal offices abolished and laws re-			
lating to, repealed	1909	486	52
<i>See also</i> CAUCUSES			
citizenship, information as to, requirements for listing	1937	226	
city council, of	1909	486	48
	*1914	646	
	*1920	471	
biennial election of	1924	479	14
nominations for, number of signatures required	1909	486	53
	1914	730	4
	1924	479	16
	1925	136	
counting of votes (<i>See, infra</i> , recounts)			
dates of, municipal elections, for	1909	486	32
changed	1914	730	1
	1921	288	1
	1924	479	4
relative to	1895	449	4
	1913	835	8
special elections, for	1909	486	61

ELECTIONS — <i>Continued</i>	Year	Chapter	Section
death, ineligibility, etc., of candidates, proceedings in case of	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
election officers (<i>See</i> ELECTION OFFICERS)			
general register of voters (<i>See, infra</i> , voters, registration)			
hours of holding, fixing of, relative to	1895	449	4
	1913	835	8
initiative and referendum, petitions under, certification of signers of, time for submitting to election commissioners	1920	129	
laws, certain, to apply to municipal elections	1909	486	60
mayor, of	1909	486	45-47
	1918(S)	94	
	1924	479	6
nomination for, number of signatures required	1909	486	53
	1914	730	4
nomination papers, certain laws to govern, etc.	1909	486	60
certificate and oath as to nominators, form	1909	486	53
	1918(S)	37	
	1924	479	16
certification of signatures	1909	486	56
	1914	730	6
	1921	288	2
	1926	105	3
filing, date for	1909	486	53
	1913	835	203
	1914	730	4
	1918(G)	293	33
	1919(G)	289	21
	1926	105	1
form	1909	486	53
	1918(S)	37	
	1924	479	16
invalid, when	1909	486	56
	1913	835	204
<i>See also, infra</i> , nominations, objections to issuance, etc.	1909	486	54, 61
	1913	835	198
	1914	730	5
	1921	340	
	1924	479	17
	1926	105	2
nominations for municipal office to be by	1909	486	53
	1914	730	4
	1924	479	16
	1925	136	
	1926	105	1
not to include candidates for more than one office	1909	486	54
	1914	730	5
number of signatures required, city council, for	1909	486	53
	1913	835	198
	1914	730	4
	1924	479	16
	1925	136	
mayor, for	1909	486	53
	1913	835	198
	1914	730	4
school committee, for	1909	486	53
	1913	835	198
	1914	730	4
oath of signer to, penalty on magistrate taking, under certain circumstances	1913	835	469

	Year	Chapter	Section
ELECTIONS — <i>Continued</i>			
nomination papers — <i>Concluded</i>			
objections to (<i>See, infra</i> , nominations, objections to)			
preparation, etc.	1909	486	53
	1913	835	198
public inspection, restriction as to	1909	486	56
public records, to be	1909	486	56
special elections, for, issuance	1909	486	61
voters may sign certain number	1909	486	54
women may sign	1909	486	55
	1921	65	
nominations, acceptance, form	1909	486	53
	1918(S)	37	
certain laws to govern	1909	486	60
certificate and oath as to nominators, form	1909	486	53
	1918(S)	37	
	1924	479	16
death, withdrawal, etc., of candidates, filling of vacancies	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
ineligibility of candidates, filling of vacancies caused by	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
municipal elective offices, for, to be made by nomination papers	1909	486	53
	1913	835	198
	1914	730	4
	1924	479	16
	1925	136	
	1926	105	1
nomination papers (<i>See, supra</i> , nomination papers)			
objections to, consideration by ballot law commission	1913	835	205
notice to candidates, etc.	1913	835	205
time for filing, etc.	1909	486	56
	1913	835	204
	1914	730	6
	1921	288	2
	1926	105	3
withdrawal of candidates, filling of vacancies in case of	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
time for filing	1909	486	56
	1913	835	206
	1914	730	6
	1921	288	2
	1926	105	3
women may be nominated	1909	486	55
	1921	65	
notice of	1895	449	4
	1913	835	8
official ballots (<i>See, supra</i> , ballots)			
party enrollment of voters (<i>See, infra</i> , primaries, party enrollment of voters in)			
police officers, special, appointment on election days	1889	423	

ELECTIONS — <i>Continued</i>	Year	Chapter	Section
political committees, of	1909	486	34
precincts (<i>See, infra</i> , voting precincts)			
primaries, municipal offices, for, abolished, and laws relating to, repealed	1909	486	52
party enrollment of voters in, provisions as to	1913	835	110
	1914	790	7
	1920	493	
precincts, holding by	1913	835	97
	1919(G)	289	20
recounts after, petitions for, time for filing	1913	835	99
	1918(G)	19	
recounts, candidates, representation at	1895	449	8
	1913	835	332
political parties, representation at	1895	449	8
	1913	835	332
primaries, after, time for filing petitions for	1913	835	99
	1918(G)	19	
provision for	1895	449	8
sealing of ballots after	1895	449	8
registration of voters (<i>See, infra</i> , voters, registration)			
results, determination of	1895	449	4
school committee, of	1875	241	1, 2
	1905	349	1
	1909	486	33
	1924	479	5
nominations for, number of signatures required	1909	486	53
	1914	730	4
special, dates for, setting of	1909	486	61
mayor, to fill vacancy in office of	1909	486	47
	1914	730	3
	1924	479	7
nomination papers for, issuance	1909	486	61
registration for	1913	835	38
street lists of voters, preparation, form, etc.	1913	835	60, 85
	1919(G)	269	7
	1921	93	2
vacancies in list of candidates, filling of	1909	486	54, 56
	1914	730	6
	1921	288	2
	1926	105	3
voters, annual register of (<i>See, infra</i> , registration, annual register of voters)			
height of, to be stated by election officer in charge of ballot box	1913	835	298
insertion of names by, spaces on ballots for	1909	486	59
	1924	479	19
listing	1906	291	18
	1917(G)	29	7-11
	1920	145	
	1921	114	1-4
citizenship, information as to, requirements	1937	226	
copies of lists, transmission to elections commissioners	1917(G)	29	9
	1921	114	2
date for completing, changed	1921	114	
errors in lists, corrections, etc.	1917(G)	29	8
notification of elections commissioners	1917(G)	29	8, 9
informants, names, etc., of, to be given	1917(G)	29	8
persons not previously listed, of	1917(G)	29	11
	1920	145	
	1921	114	4
applicants to present statement in writing, etc.	1917(G)	29	11

	Year	Chapter	Section
ELECTIONS — <i>Continued</i>			
voters — <i>Concluded</i>			
listing — <i>Concluded</i>			
persons not previously listed, of — <i>Concluded</i>			
applications not received later than,			
thirtieth day preceding elections	1917(G)	29	11
twentieth day preceding elections	1920	145	
printed copies of lists, preparation, etc.	1917(G)	29	10
	1921	114	3
women voters, of	1917(G)	29	8, 11
	1921	114	1, 4
<i>See also</i> LISTING BOARD			
registration, annual register of voters, lists of			
names of voters not entered in, prepara-			
tion, etc.	1929	280	6
notification of voters whose names have			
not been entered in	1913	835	76
	1929	280	6
persons not entered in, must apply in			
person, etc.	1913	835	77, 84
preparation	1913	835	76
	1915(G)	91	7
	1917(G)	29	12
	1921	114	5
	1929	280	6
women voters, provisions relative to,			
amended	1921	114	5
applicants for, examination under oath, etc.	1913	835	84
to apply in person, etc.	1913	835	77, 84
books for, preparation, form, etc.	1913	835	82
	1921	93	1
general register of voters, changes in, etc.	1895	449	6
preparation, form, etc.	1895	449	6
	1913	835	82
	1921	93	1
naturalized citizens, provisions as to	1913	835	84
qualifications, examination of applicants as to	1913	835	84
required to write name upon request	1913	835	87
sessions of board of election commissioners for	1913	835	83
	1915(G)	48	
	1919(G)	269	6
	1920	142	
special elections, for	1913	835	38
street lists of, preparation, form, etc.	1913	835	60, 85
	1919(G)	269	7
	1921	93	2
votes, counting of, recounts (<i>See, supra</i> , recounts)			
voting, furnishing of places for	1895	449	4
voting lists, copies of, as checked, furnishing of	1913	835	305
	1920	493	2
copies to be furnished for use of police officers	1913	835	65
pamphlet copies	1913	835	86
	1919(G)	269	1
party enrollment, certified copies showing, applica-			
tions for, etc.	1920	493	
posting of	1913	835	62
	1919(G)	269	1
preparation, form, etc.	1913	835	60, 85
	1919(G)	269	7
	1921	93	2
sealing and delivery to election commissioners	1895	449	7
voting machines, purchase or lease, and use	1913	835	251
	1916(G)	43	1

ELECTIONS — <i>Concluded</i>	Year	Chapter	Section
voting, manner of, election officer to repeat name and			
height of voter	1913	835	298
voting precincts, readjustment of,	1913	835	217
	1918(G)	74	1
	1920	636	1
provisions to continue to apply	1921	220	2
wardens of polling places, sealing of ballots, etc., duties			
as to	1895	449	7
wards, redivision of city into	*1914	630	
	*1924	410	
	*1925	39	
voting precincts, redivision into, provision as to	1913	835	217
	1918(G)	74	1
	1920	636	1
	1921	220	2
withdrawal, etc., of candidates, filling of vacancies in			
case of	1909	486	54, 56
	1913	835	207
	1914	730	6
	1921	288	2
	1926	105	3
time for filing	1909	486	56
	1913	835	206
	1914	730	6
	1921	288	2
	1926	105	3
women, candidates for office, may be	1909	486	55
	1921	65	
enabled to vote at primaries and elections	1920	579	
listing as voters	1917(G)	29	8
	1921	114	1, 4
nomination papers, may sign	1909	486	55
	1921	65	
<i>See also</i> ELECTION COMMISSIONERS, BOARD OF; ELECTION DEPARTMENT; ELECTION OFFICERS			
ELECTRIC WIRES AND APPLIANCES			
<i>See</i> WIRES AND ELECTRICAL APPLIANCES			
ELECTRICITY			
high tension currents of, transmission, regulated	1911	371	
ELEVATED RAILWAYS			
Boston Elevated Railway Company may acquire, etc.,	1894	548	17
	1897	500	11
construction, etc.	*1890	454	
	1894	548	
	1897	500	
	1902	534	11
Dudley street	1894	548	6
	1897	500	3
land takings for, Boston Transit Commission, by	1894	548	39
location, additional servitude	1894	548	8
Mystic river, construction of certain structures over,			
provisions as to, modified	1913	777 (Pt. I)	
plans for, approval by mayor	1897	500	6
removal of, Charlestown district, in	*1915(S)	293	
with aid of federal funds	*1935	492	
routes	1894	548	6
	1897	500	3
	1906	520	
Sullivan Square terminal	1894	548	6
	1897	500	3
Viaduct, Boston Elevated Railway Company, location			
on	1906	520	21

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ELEVATED RAILWAYS — <i>Concluded</i>			
Washington street	1894	548	6
	1897	500	3
West End Street Railway Company authorized to construct	*1890	454	
	*1891	365	
<i>See also</i> BOSTON ELEVATED RAILWAY COMPANY; STREET RAILWAYS; SUBWAYS AND TUNNELS			
ELEVATOR INSPECTORS			
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	1909	486	8
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	1909	486	8
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salaries, annual increments, etc., of, reinstated	*1934	228	
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term defined for retirement purposes	1922	521	2
	1923	381	3
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	1926	390	1
	1937	409	5
transit commission, of, transfer	1917(G)	86	
	1918(G)	24	
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Broadway bridge, rebuilding by	1900	452	
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Brookline Street bridge, construction, etc., duties as to,	1904	391	
Cambridge bridge, to construct approach to	1898	467	5
highways, plans for layout, etc., to be filed with	1898	210	1
Malden bridge, construction by	1899	280	1
Northern avenue and bridge, construction by	1903	381	3
powers and duties, in general	1895	449	21
Sleeper street, construction by	1903	381	3
subways and tunnels, plans for, to be filed in office of	1902	534	3
surveyor, city, deemed to be	1895	449	21
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ENGINEERS, BOARD OF			
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ENGINEMEN			
<i>See</i> FIRE DEPARTMENT			
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	1909	486	5, 9
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	1909	486	18
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gasoline, oil, etc., storage of, regulated	1909	486	28
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storage, transportation, etc., regulated	*1782	46	
	*1792	7	
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	*1813	143	
	*1816	26	
	*1820	47	
	*1833	151	
	*1837	99	
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keeping, manufacture and sale of, licenses for, renewal provisions	1918(S)	101	
powers of board of engineers relating to, transferred to city council	*1878	45	
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	*1860	152	
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FEDERAL EMERGENCY ACTS			
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handling of, registration fee	1918(S)	101	
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finance commission, witnesses summoned by, for	1908	562	2
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gas fitters, employers	1897	265	21
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licenses and permits, certain, for, fixing, city council,			1
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licensing board, licenses issued by, for, recording, dis-			
position, etc.	1906	291	4
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city council, etc.	1931	297	2
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works constructed under will of, ad-			
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FEMALE TRUANTS			
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Charlestown and Boston, between, regulated . . .	*1710-11	1	
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	*1780	42	
East Boston ferry, assessments on account of . . .	1869	155	4
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landings for, establishment of certain	1895	435	
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	*1874	27	
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People's Ferry Company, boats formerly owned by,			
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incorporated, etc.	*1853	422	
streets, superintendent of, powers and duties as to . .	1895	449	25
Winnisimmet and Boston, between, regulated . . .	*1711-12	8	
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FERRIES, SUPERINTENDENT OF			
office abolished and powers and duties transferred to			
superintendent of streets	1895	449	25
FERRY DEPARTMENT			
abolished	1895	449	25
FIELDS CORNER			
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FILTH, RUBBISH, ETC.			
private ways, removal from	1912	240	

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	1921	81	
	1924	369	
expenditures in advance of	1909	486	20
increase in current year	*1923	56	
investigations relative to, to make	1908	562	
	1909	486	18
bills, pay rolls, etc., certain, to be referred to	1909	486	19
books, papers, etc., production of, may require	1908	562	2
	1909	486	21
proceedings upon refusal	1908	562	3
penalties	1908	562	4
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contracts, members not to be interested in	1909	486	8
expenditures by	1909	486	20
	1921	81	
	1924	369	
investigations relative to, to make	1908	562	
	1909	486	18
experts, counsel, etc., expenditures for	1909	486	20
	1921	81	
	1924	369	
hearings, conduct of, rules and regulations as to	1908	562	
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	1909	486	18
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tions in, powers and duties as to	1933	121	
vacancies in, filling of	1909	486	17
witnesses, attendance and testimony, may require	1908	562	
	1909	486	21
proceedings upon refusal to attend, etc.	1908	562	3
penalties	1908	562	4
counsel, may be represented by	1908	562	2
	1909	486	21
powers	1908	562	2
	1909	486	21
cross-examination of	1908	562	2
	1909	486	21
depositions	1908	562	6
	1909	486	21
examination of	1908	562	2
	1909	486	21
fees	1908	562	2
	1909	486	21
incriminating evidence, not compelled to give	1908	562	7
	1909	486	21
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	1909	486	21
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	1909	486	21
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	1909	486	21
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<i>See also</i> FINANCE COMMISSION			
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<i>See</i> PENALTIES			
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appointment, term, etc.	1895	449	9
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Boston Protective Department, powers as to	1912	152	
building heights, commission on, member of certain, to be	1915(S)	333	1
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combustible materials, storage, etc., powers as to	1907	550	126
disabled firemen, re-examination of, duties as to	1920	60	
	1927	257	
temporary service, ordering by	1920	60	2
electric wires and appliances, buildings, in, powers and duties as to	1936	111	
removal or placing underground of certain, powers and duties as to	*1921	196	
	*1926	240	
	1931	101	
	1936	110	
explosives and inflammables, licenses for handling of, certificates of renewal, annual filing with	1918(S)	101	
indemnification of firemen for certain expenses or damages, duties as to	1933	324	
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standpipes, etc., installation in certain buildings, powers and duties as to	1923	278	
wires, etc., powers as to (<i>See, supra</i> , electric wires and appliances)			
FIRE COMMISSIONERS, BOARD OF			
abolished	1895	449	9
annuities to widows, etc., of certain firemen, powers and duties as to	1880	107	2, 3
Boston Protective Department, powers as to	1874	61	
buildings, power to enter	*1894	444	
chairman, wires, placing under ground of, board of appeals relative to, member of to be	1894	454	12
parks, buildings in, powers as to	1889	129	
pensioning of disabled members of fire department, duties as to	1886	107	
	1888	174	
	1891	404	
	1892	347	
powers and duties, transferred to fire commissioner	1895	449	10
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annuities to widows, etc., of certain members	1880	107	2, 3
amounts of, relative to	1919(S)	93	
	1920	68	
appointment, etc., of members	*1819	229	1
	1850	262	2
	1873	374	10
	1895	449	
	*1896	256	

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Boston Firemen's Relief Fund, certain terms defined with respect to administration of	1921	390	
<i>See also BOSTON FIREMEN'S RELIEF FUND,</i>			
THE			
call men in, eligibility for appointment as permanent men	*1896	256	
pensions to certain	*1912	574	
Charitable Association of the Boston Fire Department, incorporated, etc.	1829	44	
	1838	131	
	1874	343	
	1916(S)	82	
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BOSTON FIRE DEPARTMENT			
chief engineer, appointment	1895	449	10
authority, certain, in case of fire	1895	449	11
powers and duties	1850	262	3
	1895	449	11
chief operator, pension, eligible for	1914	519	
combustible materials, powers as to	1850	262	
commissioner, to be in charge of	1895	449	3
<i>See also FIRE COMMISSIONER</i>			
compensation of members	1850	262	1
composition	1850	262	1
disabled firemen, pensioning of	1880	107	
	1888	174	
	1891	404	
	1892	347	
pensions to cease if disability has ceased	1920	60	
annual examination, etc.	1927	257	
relief of, and families of, charitable association benefits for	1829	44	
	1838	131	
	1916(S)	82	
expenditures for, authorized	1850	262	5
	*1854	375	
	*1873	258	
	1898	246	
temporary service by	1920	60	2
engineers, appointment, etc.	1850	262	1
	1895	449	10
board of, powers of, transferred to city council	*1878	45	
powers and duties	1850	262	3
	1895	449	11
enginemen, number, increased	*1799	88	
	*1822	52	
provision as to	1850	262	1
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	*1826	97	
	*1828	123	
	*1831	52	
	1850	262	
	1895	449	2
families of disabled, etc., firemen, appropriation for relief of	1850	262	5
	*1854	375	
	*1873	258	
	1898	246	
fire alarm service, construction force of, eligible for pensions	1914	519	
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Hyde Park, firemen in, membership in	1911	496	11
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indemnification of members, etc., for certain expenses or damages incurred in course of duty	1933	324	
injured members (See, <i>supra</i> , disabled firemen)			
members, annuities to widows, etc.	1880	107	2, 3
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	1920	68	
appointment, etc.	*1819	229	
	1850	262	1
	1873	374	2
	1895	449	10
	*1896	256	
	1850	262	1
compensation			
disabled (See, <i>supra</i> , disabled firemen)			
exempt from military and jury duty, etc.	1850	262	4
families of deceased (See, <i>supra</i> , disabled firemen, relief of, and families of)			
indemnification for certain expenses, etc.	1933	324	
injury, incapacitated due to (See, <i>supra</i> , disabled firemen)			
pensioning of (See, <i>infra</i> , pensioning of members)			
sickness, incapacitated due to, relief to certain	1916(S)	82	
term defined for certain purposes	1916(S)	82	2
	1921	390	
officers of, powers	1850	262	3
	1895	449	10, 11
	1873	374	1
right of way in streets, etc., to have	1914	519	
operators and assistant operators, pensions, eligible for	1880	107	
pensioning of members, provisions as to	1888	174	
	1891	404	
	1892	347	
	*1912	574	
	1913	800	
	1914	519	
<i>See also</i> RETIREMENT SYSTEM			
persons required to assist members of, indemnification, for certain expenses or damages	1933	324	
powers of officers of	1850	262	3
	1895	449	10, 11
qualifications of firemen	1896	424	
right of way in streets, to have	1873	374	1
standpipes, connections, etc., of, installation in certain buildings, required	1923	278	
superintendent, pension, eligible for	1914	519	
Veteran Association of (See VETERAN ASSOCIATION OF THE BOSTON FIRE DEPARTMENT)			
widows, etc., of certain members, annuities to	1880	107	2, 3
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FIRE LIMITS			
garages, construction within, regulated	1911	342	
FIRE MARSHAL			
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Charles river basin, in, construction	1911	312	
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	*1915(S)	326	

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<i>See</i> BOSTON FIREMEN'S MUTUAL RELIEF ASSOCIATION			
FIREMEN'S RELIEF FUND			
<i>See</i> BOSTON FIREMEN'S RELIEF FUND, THE			
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	*1699-1700	24	
	*1711-12	5	
	*1744-45	30	
	*1748-49	14	
	*1752-53	2	
	*1760-61	9	
	*1760-61	32	
	*1762-63	13	
	*1763-64	11	
	*1763-64	31	
	*1785	15	
	*1796	94	
	*1797	31	
	*1798	23	
	*1802	58	
	*1810	20	
	*1811	73	
	*1817	119	
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	*1821	26	
	*1826	144	
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	*1872	260	
	*1872	271	
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	*1876	176	
	*1877	84	
	*1883	251	
	*1888	426	
<i>See also</i> BUILDINGS, acts relative to			
barns and stables, possession of fire in, regulated	1817	171	
Boston fire, rebuilding, bond issue for	*1872	364	11
Boston Protective Department (<i>See</i> BOSTON PROTECTIVE DEPARTMENT)			
building law, provisions relative to	1907	550	32, 33
	1914	782	5
	1918(S)	179	13, 14
	1921	60	2
	1923	462	16
	1924	335	4
<i>See also</i> BUILDING LAW			
carrying fire in streets, regulated	1817	171	10
chief engineer of fire department, powers and duties as to,	1895	449	11
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	1817	171	6
engineers, etc., of fire department, powers and duties as to	1850	262	1-3
	1895	449	11
<i>See also</i> FIRE DEPARTMENT			
escape from buildings in case of	*1883	251	
	*1888	426	
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<i>See also</i> BUILDING LAW			
fire commissioner, powers and duties as to	1895	449	10

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fire department standpipes, connections, etc., installation in certain buildings, required	1923	278	
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first aid standpipes, etc., installation in certain buildings required	1923	278	
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ordinances, etc., relative to, city council may pass	1850	262	3
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persons attending fires, conduct, etc., regulated	1850	262	1
rebuilding parts of town consumed by fire, regulated	*1759-60	30	
	*1760-61	9	
ropewalks, etc., possession of, fire in, regulated	1817	171	11
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	1920	440	1, 2
	*1920	645	
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	1914	782	9
	1921	289	6
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FOREMEN			
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high pressure fire pumping station, construction in	*1914	793	
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Franklin gift, custody of, in	1908	569	
funds, additional, control, etc.	1927	40	3
gifts for public purposes, powers as to	1927	40	
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.	1927	40	
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.	1927	40	
property, etc., of, title to remain in city	1908	569	4
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FRANKLIN FUND			
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.	1908	569	

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	1914	119	3
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	1913	577	5
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	1914	119	1
	1931	200	
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	1914	119	1
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public hearings	1913	577	1-3
	1914	119	1, 2
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Boston Port Authority, appointment of certain members by	1929	229	1
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Charlestown, certain crossings in	*1900	471	
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	1885	382	1

	Year	Chapter	Section
HEALTH COMMISSIONER			
gas fitters, board of examiners, to be a member of	1897	265	3
	1924	63	
hospitals, construction, alteration, etc., suspension of provisions as to, powers as to	1919(S)	163	5
establishment and maintenance, regulations as to, powers and duties as to	1919(S)	163	6
HEALTH DEPARTMENT			
building in Back Bay Fens, construction, etc.	1929	104	
health inspectors, appointment, etc., as employees of	1895	449	19
	1896	250	
HEALTH INSPECTORS			
appointment, powers, duties, etc.	1895	449	19
	1896	250	
HEIGHT OF BUILDINGS			
<i>See BUILDINGS, height of</i>			
HEIGHT OF BUILDINGS, COMMISSIONS ON			
<i>See BUILDINGS, height of, commissions on</i>			
HIGH PRESSURE FIRE PUMPING STATION			
construction of certain	*1914	793	
	*1915(S)	326	
HIGH PRESSURE FIRE SERVICE			
construction, Charles river basin, in	1911	312	
	1916(S)	175	
appropriations for, regulated	1911	312	2
HIGH SCHOOL OF COMMERCE			
building for	*1909	446	
	*1911	540	
	*1913	363	
HIGH TENSION CURRENTS OF ELECTRICITY			
transmission regulated	1911	371	
HIGHWAYS			
<i>See STREETS</i>			
HIGHWAYS, SURVEYORS OF			
<i>See SURVEYORS OF HIGHWAYS</i>			
HISTORICAL PROPERTY			
Dorchester district, in, acquisition of certain	1919(S)	193	
HOLIDAYS			
employees may be paid for	1908	587	
HOPKINTON			
Sudbury river in, improvements in	*1892	434	
HORACE MANN SCHOOL FOR THE DEAF			
land granted by commonwealth for use of	1885	201	1
release by commonwealth of its reversionary interest	1905	467	
	1928	339	
sale of, etc., use of proceeds in case of	1905	467	2
	1928	339	
time limit for use by	1885	201	2
extended	*1888	259	
HORSES			
auction sales of, regulated	1904	336	
	1905	426	
HOSPITAL DEPARTMENT			
city hospital (<i>See HOSPITALS, city hospital</i>)			
Dorchester district, land, certain, in, transfer to park department	1924	70	
parental school, land and buildings of, transfer to	1915(S)	34	
Parker hill in Roxbury, certain land on, held for, transfer to park department	1931	40	
HOSPITAL ISLAND			
<i>See HOSPITALS, Rainsford island, on</i>			

HOSPITALS

	Year	Chapter	Section
in general, beds in private hospitals, trustees of hos-			
pital for consumptives may hire	*1906	189	
	*1907	248	
	*1908	225	
	*1911	167	
	*1915(S)	190	
construction, alteration, etc.	1919(S)	163	
	1926	182	
automatic sprinklers in	1919(S)	163	2
elevator, light, etc., shafts in	1919(S)	163	2, 4
penalty for violations of regulations as to	1919(S)	163	8
stairways in	1919(S)	163	1, 3
	1926	182	1
suspension of provisions in certain cases	1919(S)	163	5
three stories, etc., or less	1919(S)	163	1-4
or more	1919(S)	163	1-4
	1926	182	1
establishment and maintenance, regulations as to	1919(S)	163	6
mental diseases, care, etc., in, of certain persons			
suffering from	1910	307	
observation wards for persons suffering from,			
establishment in	1908	627	
registration of, with building department	1919(S)	32	
	1919(S)	163	
tuberculosis patients, beds for, in private hospitals	*1906	189	7
	*1907	248	
chronic diseases, for treatment of, establishment,			
authorized	1901	518	
city hospital, additional buildings, etc., loan, etc., for	*1924	352	
	*1928	237	
additional property, holding by	1932	215	
East Boston relief station, construction, etc.	*1905	212	
establishment, etc.	1858	113	
incorporated	1880	174	
corporate name changed	1893	91	
land for, taking of certain	1889	336	
location	1858	113	3
management	1858	113	2
name changed	1893	91	
officers, etc., of, appointment	1858	113	2
	1880	174	6
persons entitled to enter	1858	113	
superintendent of, trustees to appoint, etc.	1880	174	6
compensation of	1880	174	6
trustees, appointment, etc.	1858	113	2
	1880	174	
	1885	266	1
care and control of hospital by	1880	174	5
compensation, to serve without	1880	174	3
incorporated	1880	174	1
corporate name changed	1893	91	
investments, etc.	1880	174	2
medical board for, retirement system, ap-			
pointment by	1922	521	18
number	1880	174	4
organization	1880	174	4
powers and duties	1880	174	
property, may hold	1880	174	2
	1932	215	
removal	1880	174	3
vacancy in office of	1880	174	3
unclaimed property in, disposition	1921	86	
East Boston relief station, construction, etc.	*1905	212	
inebriates, asylum for, establishment	*1864	225	

	Year	Chapter	Section
HOSPITALS — <i>Concluded</i>			
insane hospital, created	1897	451	
payment for, by commonwealth	*1909	401	
Long Island hospital, treatment of certain patients at	1929	219	
lunatic hospital, directors (<i>See</i> PUBLIC INSTITUTIONS, BOARD OF DIRECTORS FOR)			
established, etc.	*1839	131	
	*1840	79	
	*1851	243	
insane persons, commitment to	*1857	302	
name, etc., changed	1897	451	
patients, non-pauper, admission to	*1857	281	
Massachusetts General hospital, exempted from certain restrictions as to height of buildings	1923	27	
Rainsford island, on, acts regulating	*1738-39	8	
	*1743-44	19	
	*1749-50	6	
	*1756-57	33	
	*1757-58	13	
	*1839	79	
	*1840	80	
	*1841	96	
contagious diseases, prisoners affected with, removal to	1816	44	10
control, etc.	1816	44	7
officers for, appointment	1816	44	7
physicians for, appointment	1816	44	
smallpox hospitals, establishment, etc.	*1792	28	
	*1792	58	
HOTELS			
escape from, in case of fire	*1883	251	
safety appliances in, regulated	*1884	223	
	*1888	86	
HOUSE FOR THE REFORMATION AND EMPLOYMENT OF JUVENILE OFFENDERS			
<i>See</i> REFORMATION, HOUSE OF			
HOUSE OF CORRECTION			
<i>See</i> CORRECTION, HOUSES OF			
HOUSE OF DETENTION FOR WOMEN			
<i>See</i> DETENTION, HOUSE OF			
HOUSE OF INDUSTRY			
<i>See</i> INDUSTRY, HOUSE OF			
HOUSE OF REFORMATION			
<i>See</i> REFORMATION, HOUSE OF			
HOUSES			
licensed, regulation	*1816	112	
	*1833	122	
	*1836	7	
HOUSES OF CORRECTION			
<i>See</i> CORRECTION, HOUSES OF			
HUNTINGTON AVENUE			
construction, etc., loan for	*1895	334	
	*1896	209	
	*1898	236	
extension	*1894	416	
overpass at Riverway, Jamaica way and, construction, etc.	1934	380	
	*1935	368	
HUNTINGTON AVENUE SUBWAY			
construction, loan, etc.	*1932	306	
	1933	366 (Pt. II)	
	*1935	492	
	1937	159	

	Year	Chapter	Section
HYDE PARK AVENUE			
improvement	*1903	370	
	*1908	437	
street railway line on, construction of certain	1920	613	7
	1920	637	4
widening	*1902	150	
HYDE PARK DISTRICT			
county records affecting real estate in, furnishing to Suffolk County registry of deeds	*1912	286	
Dedham and Hyde Park Gas and Electric Light Company, property located in, acquisition, etc., by city	1937	292	
loan in connection with	1937	292	
establishment	1911	469	6
	1911	583	
	1913	770	
River street in, etc., widening and reconstruction	*1925	323	
	1926	260	
street railway lines in, acquisition by city	1923	405	
disposition of certain property acquired under, loan for	1925	52	
	1923	405	7
construction of certain	1920	613	6
	1920	637	4
fares on	1920	613	4
operation by Boston Elevated Railway Company	1920	613	
	1920	637	
	1923	405	
public operation of	1920	613	
	1920	637	
Eastern Massachusetts Street Railway Company, as affecting	1920	613	
	1920	637	
expenditures in connection with	1920	613	7, 9
	1920	637	1, 3
provision for immediate	1920	637	
See also HYDE PARK, TOWN OF			
HYDE PARK STREET RAILWAYS			
See HYDE PARK DISTRICT, street railway lines in			
HYDE PARK, TOWN OF			
annexed to Boston	1911	469	
	1911	583	
	1913	770	
boundary between Boston and, portion changed	*1898	251	
firemen and policemen in service of, retirement rights under act annexing town	1913	770	
incorporated	*1868	139	
	1868	167	
laborers in employ of, retirement of certain	1914	536	
school teachers in, certain, entitled to certain retirement benefits	1912	569	2
sewerage system, construction, etc.	*1896	287	
See also HYDE PARK DISTRICT			
HYDE PARK TRANSPORTATION DISTRICT			
incorporated, etc.	1920	613	
	1920	637	
See also HYDE PARK DISTRICT, street railway lines			
I			
ICE HOUSES			
construction, provisions as to	1914	248	
INCOMPATIBLE OFFICES	1854	448	43
	1884	115	
	1885	266	3
	1906	231	1

	Year	Chapter	Section
INDEBTEDNESS			
act relative to municipal indebtedness	*1913	719	
certificates of (<i>See</i> LOANS)			
Federal aid projects, incurring for, regulated	1933	366	2, 5
	*1934	21	
	1935	404	
	1936	83	
	1936	414	
general laws as to municipal indebtedness made appli- cable to city	1936	224	
limit of, acts relative to	*1885	178	
	*1887	281	
	*1900	399	
	*1909	315	
anticipation of authority to borrow within, au- thorized	1891	93	
borrowing capacity within, certification, etc.	1891	93	
	1891	206	
further regulated	1891	206	
	1916(S)	267	5
	1931	225	
Federal aid loans, computation for purposes of	1933	366	2
general provisions of law relative to, made applicable to city	1936	224	
<i>See also</i> TAX LIMIT			
time for payment of certain, extended	*1891	321	
INDENTURE			
children, persons receiving certain charitable benefits, of	1813	171	
powers of director of the house of industry as to	1826	111	
house of industry, powers of directors as to	1826	111	
house of reformation, powers of directors as to	1825	182	4
INDEPENDENT AGRICULTURAL SCHOOL			
<i>See</i> AGRICULTURAL SCHOOL, INDEPENDENT			
INDIA STREET			
widening	*1897	446	
INDIGENT BOYS, BOSTON ASYLUM FOR			
<i>See</i> BOSTON ASYLUM FOR INDIGENT BOYS			
INDIGENT CHILDREN			
<i>See</i> CHILDREN			
INDIGENT PERSONS			
overseers of poor may commit	1735-36	4	4
<i>See also</i> POOR; OVERSEERS OF THE POOR			
INDIGENT SOLDIERS AND SAILORS			
burial of	*1919(G)	290	
INDUSTRIAL SCHOOL			
establishment, etc.	1900	171	
INDUSTRIAL SCHOOL FOR BOYS			
additional land for, taking authorized	*1914	128	
transfer of land on Halleck, Archibald and Goldthwaite streets	*1914	128	
INDUSTRY, HOUSE OF			
children, powers of directors as to binding out	1826	111	
commitments to	1822	56	3
directors, annual report	1822	56	4
appointment, etc.	*1833	126	
choice	1822	56	7
establishment, etc.	1822	56	1
juvenile offenders, powers as to	1825	182	
may send poor persons, etc., to	1822	56	2
powers and duties	1822	56	
	1825	182	
	1826	111	
	*1833	126	
transferred to Board of Directors for Public Institutions	1857	35	1
term of office	1822	56	

	Year	Chapter	Section
INDUSTRY, HOUSE OF — <i>Concluded</i>			
employment of persons confined at	*1877	202	
established as the House of Correction at Deer Island	1896	536	
laws relating to	1822	56	9
name changed, etc.	1896	536	9
officers, appointment	*1833	126	
powers	*1833	126	
paupers, powers of directors as to	1826	111	
release on probation from	*1881	34	
removal of prisoners to, from House of Correction	*1896	521	
rules and orders for	1822	56	5
superintendent, appointment	*1833	126	
powers	*1833	126	
support of poor in, recovery for	1824	28	1
<i>See also</i> CORRECTION, HOUSES OF, Deer Island, at			
INEBRIATES, BOSTON ASYLUM FOR			
establishment, etc.	*1864	225	
INFIRMARY DEPARTMENT			
pauper institutions department changed to	1908	393	
reorganization, etc.	1919(S)	222	
INFIRMARY TRUSTEES			
pauper institutions trustees changed to	1908	393	
INFLAMMABLES			
<i>See</i> EXPLOSIVES AND INFLAMMABLE FLUIDS AND COMPOUNDS			
INITIATIVE AND REFERENDUM			
arguments relative to measures submitted under, preparation and distribution to voters	*1919(G)	187	
petitions under, certification of signers of, time for submitting to election commissioners	1920	129	
INNOLDERS AND COMMON VICTUALLERS			
licensing of, expiration of licenses	1879	38	2
powers of, licensing board as to	1906	291	4
.	1915(S)	313	
mayor and aldermen, as to, transferred to police commissioner	1879	38	1
INSANE HOSPITAL			
created	1897	451	3
payment for, by commonwealth	*1909	401	
INSANE HOSPITAL DEPARTMENT			
bequests, etc., for, acceptance, etc.	1897	395	8
established	1897	451	
<i>See also</i> INSANE HOSPITAL TRUSTEES			
INSANE HOSPITAL TRUSTEES			
appointment, etc.	1897	451	3
election commissioners; furnishing to, of names of certain persons	1913	835	23
powers and duties	1897	451	3
INSANE PERSONS			
act relative to	*1857	302	
arrested or confined, hospital care for certain	1910	307	
care of, transferred to commonwealth	*1900	451	
.	*1903	321	
.	*1908	613	
directors for public institutions, powers as to	1857	35	2
discharge of, from confinement	1857	35	2
state colony for the insane, establishment	*1900	451	
<i>See also</i> INSANE HOSPITAL; BOSTON LUNATIC HOSPITAL; PUBLIC INSTITUTIONS			
INSPECTION OF MILK AND VINEGAR DEPARTMENT			
abolished	1895	449	19
INSPECTION OF PROVISIONS DEPARTMENT			
abolished	1895	449	19

	Year	Chapter	Section
INSPECTORS			
animals intended for slaughter, of (<i>See</i> ANIMALS, inspectors of, etc.)			
buildings, of (<i>See</i> BUILDINGS, INSPECTOR OF)			
elevators, of (<i>See</i> ELEVATOR INSPECTORS)			
gas fitting, of (<i>See</i> GAS FITTING, inspectors of)			
health, of (<i>See</i> HEALTH INSPECTORS)			
milk, of (<i>See</i> MILK INSPECTORS)			
pensioning of certain	*1920	179	
provisions, of (<i>See</i> PROVISIONS, INSPECTORS OF)			
vinegar, of (<i>See</i> VINEGAR INSPECTORS)			
INSTITUTIONS			
<i>See</i> INSTITUTIONS COMMISSIONER; INSTITUTIONS, COMMISSIONER OF; INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS; PENAL INSTITUTIONS COMMISSIONER; PUBLIC INSTITUTIONS; and under names of specific institutions			
INSTITUTIONS COMMISSIONER			
almshouses or workhouses, rules for government of			
inmates of, approval by	1895	449	17
appointment, term, etc.	1895	449	2, 14
name changed to penal institutions commissioner	1897	395	5
powers and duties	1895	449	15, 16
	1897	395	5
releases from certain institutions, powers and duties			
as to	1895	449	16
salary	1895	449	14
Suffolk county reformatory, construction, etc., by	1896	536	
provision for, repealed	1899	347	4
<i>See also</i> INSTITUTIONS, COMMISSIONER OF; INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS COMMISSIONER			
INSTITUTIONS, COMMISSIONER OF			
deputy commissioners, appointed, etc., authorized	1919(S)	222	
establishment of office, authorized	1919(S)	222	
Long Island hospital, treatment of certain patients at, duties as to	1929	219	
<i>See also</i> INSTITUTIONS COMMISSIONER; INSTITUTIONS DEPARTMENT			
INSTITUTIONS DEPARTMENT			
commissioner of institutions, to be in charge of	1919(S)	222	
<i>See also</i> INSTITUTIONS, COMMISSIONER OF			
consolidation, etc., of certain departments into, authorized	1919(S)	222	
employees of, treatment at Long Island hospital, authorized	1929	219	
established	1895	449	2
institutions commissioner, to be in charge of	1895	449	14
<i>See also</i> INSTITUTIONS COMMISSIONER			
name changed to penal institutions department	1897	395	5
officers and employees of, tenure of office of certain	1897	395	9
reorganization, etc.	1897	395	
	1919(S)	222	
veterans holding office in, removal, regulated	1897	395	10
<i>See also</i> BOSTON INFIRMARY DEPARTMENT; CHILDREN'S INSTITUTIONS DEPARTMENT; INSTITUTIONS REGISTRATION DEPARTMENT; PAUPER INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS DEPARTMENT			

	Year	Chapter	Section
INSTITUTIONS REGISTRAR			
agency for discharged prisoners, investigation of, by	1897	395	6
appointment, etc.	1897	395	6
commitment of insane, investigation of, by	1897	395	6
mayor, conferences with	1897	395	7
powers and duties	1897	395	6
reports, certain, making, by	1897	395	6
salary	1897	395	6
settlement of paupers, investigation of, by	1897	395	6
statistics relating to certain departments, duties as to	1897	395	6
<i>See also</i> INSTITUTIONS REGISTRATION DE-			6
PARTMENT			
INSTITUTIONS REGISTRATION DEPARTMENT			
bequests, etc., for, acceptance, etc.	1897	395	8
established	1897	395	
registrar (<i>See</i> INSTITUTIONS REGISTRAR)			
reorganization and consolidation, authorized	1919(S)	222	
<i>See also</i> INSTITUTIONS DEPARTMENT; INSTI-			
TUTIONS REGISTRAR			
INTELLIGENCE OFFICES			
licensing of	1906	291	4
	1915(S)	313	
INTEREST			
banks, allowance by, to city	*1842	98	
INTEREST RATE			
certain loans, on	*1913	788	
land damages, on, established	1906	398	8
	1913	148	
loans, on, determination	1890	418	7
	1896	163	
	1898	471	
	1914	364	
	1918(S)	52	
INTOXICATING LIQUORS			
licenses for sale of, forfeited license, provisions as to	1906	291	16
licensing board, powers and duties as to	1906	291	4
	1915(S)	313	
local option, extension to districts	*1902	485	
number	*1899	248	
	*1899	341	
	*1899	462	
signing, etc., of	*1885	83	
suspension of, during period of disorder, etc.	1906	291	19
violation of conditions of, proceedings upon	1906	291	15
	1917(S)	145	
INVESTIGATIONS			
financial condition of city, as to	*1907	481	
	1908	562	
	1909	486	17-21
ISLANDS			
<i>See</i> HARBOR			
J			
AILS			
children committed to, transfer of	1825	182	6
lock-ups, management of	*1873	175	
	*1881	136	
prisoners with contagious diseases, board of health may			
remove	1816	44	10
regulated	*1834	151	
Suffolk county jail, additions to	1900	473	
<i>See also</i> CORRECTION, HOUSES OF; PENAL			
INSTITUTIONS			

	Year	Chapter	Section
JAMAICA PARK			
assessments on account of, abatement of portion . . .	*1895	185	
JAMAICA POND			
lands abutting, taking for park purposes . . .	1892	371	
rights of commonwealth over, city to exercise . . .	1892	371	
waters of, protection from pollution . . .	1892	371	
JAMAICA POND AQUEDUCT CORPORATION			
incorporated . . .	*1857	135	
property of, city may purchase . . .	*1886	199	
	1892	371	
<i>See also</i> AQUEDUCT CORPORATION			
JAMAICA POND ICE COMPANY			
property of, taking, etc., by city . . .	1892	371	
JANITORS			
school (<i>See</i> SCHOOL JANITORS)			
tenement or lodging houses, when required in . . .	1889	450	5
JOHN BOYLSTON'S CHARITABLE DONATIONS,			
TRUSTEES OF			
incorporated . . .	1802	44	1
powers . . .	1802	44	2-5
	1813	171	
property, may hold . . .	1802	44	3
	1868	183	
JUDICIARY			
retirement or resignation of, provisions as to . . .	1937	409	
retirement system, certain judges exempted from			
membership in . . .	1937	409	5, 6
JUNK			
collectors of, badges, display of . . .	1900	416	2
licensing . . .	1900	416	1
fees . . .	1900	416	1
penalty for violations . . .	1900	416	5
revocation of, licenses . . .	1900	416	1
rules, etc., to be incorporated in license . . .	1900	416	4
purchases from minors, prohibited . . .	1900	416	3
shops for purchase and sale of, licensing . . .	1900	416	3
penalty for violations . . .	1900	416	5
records, keeping of certain . . .	1900	416	3
JURORS			
fire department, officers and members exempt from			
serving as . . .	1850	262	4
list of, preparation, etc., of . . .	*1888	123	
selection, etc., regulated . . .	*1822	13	
JUSTICE			
Suffolk county, in, administration regulated . . .	*1821	109	
	*1822	12	
	1831	65	
JUVENILE OFFENDERS			
appeals, from police court to municipal court . . .	*1829	18	
boys committed as, to be kept until majority . . .	1825	182	4
building for, construction, etc. . .	1825	182	1
<i>See also</i> JUVENILE OFFENDERS, HOUSE			
FOR THE REFORMATION AND			
EMPLOYMENT OF			
buildings, certain, may be used for . . .	1825	182	1
committal of, etc. . .	1825	182	2-4
directors of (<i>See</i> JUVENILE OFFENDERS, HOUSE			
FOR THE REFORMATION AND			
EMPLOYMENT OF, directors)			
discharge, etc., of . . .	1825	182	5
disposition of . . .	1825	182	4, 5
girls committed as, to be kept, etc., until eighteen years			
of age . . .	1825	182	3
probation, placing upon . . .	*1879	64	
transfer of, etc. . .	1825	182	6

	Year	Chapter	Section
JUVENILE OFFENDERS, HOUSE FOR THE REFORMATION AND EMPLOYMENT OF			
acts relative to	*1843	22	
	*1847	208	
children may be sentenced to	1825	182	3
directors, appointment, etc.	1825	182	2
powers and duties	1825	182	2-6
transferred to board of directors for public institutions	1857	35	1
establishment, etc.	1825	182	
name changed to Suffolk School for Boys	1906	150	
<i>See also</i> SUFFOLK SCHOOL FOR BOYS			
powers and duties of trustees for children as to	1897	395	3
K			
KILN DRYING LUMBER			
use of buildings for, regulated	1913	729	
KNEELAND STREET			
widening, etc., loan	*1924	476	
	*1929	352	
L			
L STREET			
widening, etc., loan for	*1930	264	
	*1931	116	
	*1932	176	
LABOR SERVICE			
lamplighters, appointment to certain other positions in	*1913	344	
time extended for	*1914	440	
	*1916(S)	296	
	*1922	35	
scrubwomen, widows registering for position of, granted preference	1923	476	
<i>See also</i> EMPLOYEES			
LABORERS			
Hyde Park, in employ of, retirement of certain	1914	536	
incapacitated, payment of wages to	1909	332	
retirement of	1911	413	
	*1920	179	
disability provisions	1914	765	
	1915(S)	63	
maximum pension established	1913	367	2
	*1919(S)	55	
term "laborers" defined	1913	367	1
<i>See also</i> RETIREMENT SYSTEM			
transit commission, in employ of, transfer	1917(G)	86	
scope of act widened	1918(G)	24	
LAKE COCHITUATE			
black bass not to be taken in	*1870	382	
sewerage, discharge into, prohibited	*1875	228	
<i>See also</i> WATER			
LAMPLIGHTERS			
appointment to certain other positions in labor service	1913	344	
time extended for	*1914	440	
	*1916(S)	296	
	*1922	35	
LAMPS			
street lamps, etc., regulated	*1773-74	12	
	1825	3	
	1906	393	
LAND DAMAGES			
<i>See</i> LANDS, taking of			10

	Year	Chapter	Section
LAND TAKINGS			
<i>See</i> LANDS, taking of			
LANDS			
filling of, to certain grade, board of health may order	1893	342	
owned by city and leased for business purposes, assessment, etc., of taxes on	1922	390	
park, for, city authorized to purchase, take, etc.	1875	185	3-6
purchase and sale of, regulated	1909	486	2, 8
restrictions on, Arlington and Newbury streets, certain parcel of land at, released from certain	*1913	529	
Back Bay district, in, removal of certain	1927	246	
<i>See also</i> BUILDINGS, specific provisions as to			
school purposes, used for, sale regulated	1906	259	
	1919(S)	206	7
sidewalk assessments on tax-exempt, suspension, authorized	1913	155	
taking of, confirmation of certain takings, etc.	*1914	569	
damages for, agreements as to, powers of law department as to	1898	340	
rate of interest on	1906	398	8
	1913	148	
law department, powers as to	1898	340	
	1909	486	31
regulated	*1897	202	
	1898	340	
	*1899	379	
	1909	486	31
school buildings, for	*1895	408	
	*1897	299	
	1929	351	7, 8
street commissioners, board of, powers as to	1909	486	31
unoccupied, cleaning of certain, board of health may provide for	1897	185	1
payment for	1897	185	2
LANDSDOWNE STREET			
building lines on, changed	*1900	348	
LARZ ANDERSON BRIDGE			
care, control and maintenance	1931	423	
LATIN SCHOOL			
construction, etc.	*1919(S)	199	
headmaster, election	1906	231	2
LAW DEPARTMENT			
land taking, agreements as to damages for, powers as to	1898	340	
duties as to	1909	486	31
LAW LIBRARY			
<i>See</i> SOCIAL LAW LIBRARY			
LEVERETT POND			
dredging of	*1930	97	
LEVERETT STREET			
laying out, etc.	*1760-61	32	
reconstruction	*1929	371	
LIABILITIES			
incurring of, in anticipation of appropriations	1885	266	6
	1889	320	
	*1934	201	
	*1935	151	
<i>See also</i> APPROPRIATIONS; EXPENDITURES; LOANS			
LIBRARY			
appropriations for	1853	38	1
limit of, repealed	*1857	11	
central building (<i>See, infra</i> , new building)			
Charlestown branch, "Harris Collection" in, transfer to central library	1900	263	
provision for	1873	286	12

LIBRARY — <i>Concluded</i>	Year	Chapter	Section
city council, powers as to	1853	38	
establishment, etc.	1878	114	3, 7
	*1848	52	
expenditures for	1853	38	
limit of, repealed	1853	38	1
"Harris Collection", certain agreement concerning, annulled	*1857	11	
transfer, to central library	1900	263	
Harris fund, use of interest on	1900	263	
librarian, etc., trustees may appoint	1900	263	
new building, commencement, requirements as to	1878	114	6
	1880	222	
completion, loans for	*1883	141	
	*1889	68	
	*1891	324	
	*1898	475	
construction, etc., powers of trustees as to requirements as to	1887	60	2, 3
	1880	222	
	*1883	141	
design, etc.	1887	60	2
land on Copley square granted to city for stipulations as to	1880	222	
	1880	222	
	*1883	141	
maintenance, provision as to	1887	60	
taking of land for, authorized	1882	143	2
	*1889	379	
trustees, powers and duties as to	1887	60	2, 3
old building, sale	*1897	408	
property, holding of (<i>See, infra</i> , trustees, property holding powers)			
superintendent or librarian, appointment, etc.	1878	114	6
assistants, etc., appointment, etc.	1878	114	6
"Synagogue, The", picture entitled, in, taking, for educational purposes	*1922	541	
	*1923	82	
act repealed	*1924	220	
trustees, art commission may suggest names for care, control, etc., of all libraries by	1898	410	1
	1878	114	5
	1880	222	1
	1887	60	
compensation, not to receive	1878	114	3
election, terms, etc.	1878	114	3
"Harris Collection", removal of, by	1900	263	
Harris fund, use of, by	1900	263	
incorporated	1878	114	
money received by, how invested	1878	114	2
not to be members of city council	1878	114	3
number	1878	114	3
organization, etc.	1878	114	4
powers and duties	1878	114	
	1880	222	1
	1887	60	
property holding powers	1878	114	2
	1919(S)	116	
	1931	50	
qualifications	1878	114	3
removal of	1878	114	3
semi-annual report, to make	1887	60	
vacancy in, filling of	1878	114	3
<i>See also</i> SOCIAL LAW LIBRARY			

LIBRARY DEPARTMENT

Roxbury district, park land, certain, in, transfer to . 1930 357

See also LIBRARY

	Year	Chapter	Section
LICENSES AND PERMITS			
alms, receiving in public places, regulated	1909	538	
amusements, certain, for	1908	494	
	1915(S)	348	
	1936	340	
billiard, pool or sippio tables, for	1906	291	4
	1907	214	
	1915(S)	313	
Bird island, removal of earth, etc., from	1818	4	
bowling alleys, for	1906	291	4
	1915(S)	313	
bridges, attachment of rafts, etc., to, for	1862	73	
building construction, permits for (<i>See</i> BUILDING LAW, permits for construction)			
coasting, for	1909	486	28
cocoa roasting, for	1817	171	6
common victuallers, for (<i>See, infra</i> , innholders and common victuallers)			
conduits, poles, etc., location of, for	1909	486	28
dogs, for, fees, disposition	*1904	353	3
elevators, passenger, operation of, for	1913	714	
explosives and inflammables, handling of, for, renewal provisions	1918(S)	101	
storage, etc., for	1909	486	28
fees for certain, department heads may establish	1910	571	
city council authorized to fix, with approval of mayor	1931	297	1
garages, erection, etc., for, provisions as to	1913	577	
	1914	119	
	1922	316	
	1931	200	
gas fitters, employers, for	1897	265	4
journeymen, for	1897	265	4
gas fitting, etc., for	1897	265	7
	1907	550	1
gasoline, etc., storage in public ways, for	1909	486	28
granting and recording of certain, regulated	*1876	147	
	*1880	84	
hackney carriages and hackney stands, granting to, etc., regulated	1930	392	
	1933	306	
	1934	280	
hawkers and peddlers, use of streets without	1907	584	9
hospitals, establishment of, for, issue, etc., regulated	1919(S)	163	6
innholders and common victuallers, for	1906	291	4
	1915(S)	313	
licenses for, when to expire	1879	38	2
powers as to, transferred to police commissioner	1879	38	1
intelligence offices, for	*1876	147	
	1906	291	4
	1915(S)	313	
intoxicating liquors, sale of, for, districts to have local option as to	*1902	485	
forfeited licenses, provisions as to	1906	291	16
issuance	1906	291	4
	1915(S)	313	
signing, etc., of	*1885	83	
suspension of, during period of disorder, etc.	1906	291	19
violation of conditions of, proceedings upon	1906	291	15
	1917(S)	145	
junk collectors and dealers, for	*1876	147	
	1900	416	

LICENSES AND PERMITS — *Concluded*

	Year	Chapter	Section
licensing board, applicants for, etc., certification to			
police commissioner	1906	291	6
issued by	1906	291	4
.	1915(S)	313	
fees for, recording, disposition, etc.	1906	291	4
.	1915(S)	313	
<i>See also</i> LICENSING BOARD			
loading zone permits, so called, fees for, authorized	1935	319	
merchandise, sale, in streets, for	1907	584	
.	1908	519	
moving picture exhibitions, special, for	1913	280	
pawn shops, for	1900	416	
picnic groves, for	*1885	309	
.	1906	291	4
.	1915(S)	313	
plumbing permits	1907	550	1
police commissioner, issued by, revocation, suspension,			
etc.	1909	221	
signing and recording	1906	291	10
pool or sippio tables, for	1906	291	4
.	1907	214	
.	1915(S)	313	
public halls, for	1907	463	
recording, etc., of certain, regulated	*1876	147	
.	*1880	84	
shows, for	1908	494	
.	1915(S)	348	
.	1936	340	
sight-seeing automobiles, for, granting, etc., by police			
commissioner	1931	399	
.	1933	93	
sippio tables, for	1906	291	4
.	1907	214	
.	1915(S)	313	
skating rinks, for	*1885	196	
.	1906	291	4
.	1915(S)	313	
steam boilers and furnaces, setting and maintenace, for	1907	550	1
street railways, conductors, motormen, etc.	1879	59	
.	1880	99	
.	1897	343	
streets, certain uses of, for	1909	486	
sale, etc., of merchandise in, for	1907	584	28
.	1908	519	
.	1937	90	
theatres and public halls, for	1907	463	
theatrical exhibitions, shows and amusements, for	1908	494	
.	1915(S)	348	
.	1936	340	
expiration of certain	1937	91	
revocation and suspension of	1908	494	2
.	1915(S)	348	
.	1936	340	
wire commissioner, issued by, fees for	1915(S)	262	
wires, installation in buildings, for	1898	268	
.	1908	339	
.	1915(S)	262	
.	1936	111	
LICENSING BOARD			
applicants, etc., for licenses, certification to police			
commissioner	1906	291	6
annual report	1906	291	5
appointment, etc.	1906	291	1

	Year	Chapter	Section
LICENSING BOARD — <i>Concluded</i>			
board of police, certain powers and duties of, conferred upon	1906	291	4
chairman, designation	1906	291	1
salary	1906	291	2
increased	1935	355	1
clerical assistance	1906	291	3
intoxicating liquors, licenses to sell, violation of conditions, duties as to	1906	291	15, 16
	1917(S)	145	
legal assistance	1906	291	3
licensee, fitness of, information by police commissioner as to	1906	291	17
members, not to engage in certain employments	1906	291	1
removal	1906	291	1
salaries	1906	291	2
increased	1935	355	1
terms of office	1906	291	1
office accommodations for	1906	291	2
	1909	387	
police commissioner, certification of certain information to	1906	291	6
powers and duties	1906	291	3-6
billiard, pool or sippio tables, licensing of	1906	291	4
	1907	214	
	1915(S)	313	
bowling alleys, licensing of	1906	291	4
	1915(S)	313	
common victuallers, licensing of	1906	291	4
	1915(S)	313	
innholders, licensing of	1906	291	4
	1915(S)	313	
intelligence offices, licensing of	1906	291	4
	1915(S)	313	
intoxicating liquors, licensing of	1906	291	4
	1915(S)	313	
picnic groves, licensing of	1906	291	4
	1915(S)	313	
skating rinks, licensing of	1906	291	4
	1915(S)	313	
quorum	1906	291	1
records, inspection	1906	291	5
salaries of offices and positions under control of, reductions in, powers and duties as to	1933	121	
secretary, appointment, term, duties	1906	291	1
salary	1906	291	2
increased	1913	715	
	1927	76	
	1935	355	1
vacancies in, filling of	1906	291	1
LICENSED HOUSES			
<i>See</i> HOUSES, licensed			
LISTING BOARD			
acts relative to	*1907	387	
	*1907	560	
appointment, etc.	1906	291	18
	1917(G)	29	7
assessors, furnishing to, of copies of certain lists	1918(S)	93	5
corrections in, making of	1920	552	3
chief justice of municipal court of the city of Boston, member of, when	1906	291	18
	1917(G)	29	7
established	1906	291	18
	1917(G)	29	7

	Year	Chapter	Section
LISTING BOARD — <i>Concluded</i>			
how constituted	1906	291	18
	1917(G)	29	7
lists, certain, copies of, furnishing to assessors	1918(S)	93	5
corrections in, making of	1920	552	3
transmission to election commissioners	1917(G)	29	9
	1921	114	2
errors in, corrections, etc.	1917(G)	29	8
notification to election commissioners	1917(G)	29	8
informants, names, etc., of, to be given	1917(G)	29	8
making by	1917(G)	29	8
	1921	114	1
printed copies of, preparation, etc.	1917(G)	29	10
	1921	114	3
political representation on	1906	291	18
	1917(G)	29	7
powers and duties	1906	291	18
	1917(G)	29	8-10
	1921	114	1-3
proceedings in case of disagreement between members	1906	291	18
	1917(G)	29	7
women voters, listing by	1917(G)	29	8
	1921	114	1
<i>See also</i> ELECTIONS			
LISTING OF VOTERS			
<i>See</i> ELECTIONS, voters, listing			
LIVERY STABLES			
<i>See</i> STABLES			
LOADING ZONE PERMITS, SO CALLED			
fees for, authorized	1935	319	
LOADS			
vehicles, on, regulation by ordinance, authorized	1880	134	
LOAN ORDERS			
adoption or rejection, city council by	1909	486	2
	1933	113	
	1934	220	
time limit for	1909	486	2
certificate of mayor upon, requirement as to	1891	206	1
force of law, to have, when	1909	486	2
more prompt action on, provision for	1934	220	
origination by city council	1909	486	2
presentation by mayor to city council, provisions as to	1909	486	2
resubmission of	1909	486	2
specific items in, reduction or rejection	1909	486	2
temporary loans, for, special provision as to	1933	113	
LOANS			
advertisements for proposals for, provisions as to	1890	418	7
anticipation of authority to borrow within debt limit	1891	93	
certificates of indebtedness, issuance, in form of	1896	163	
	1898	471	
	1902	522	
confirmation of certain	1902	522	2
coupon bonds, issuance, in form of	1896	163	
	1898	471	
	1902	522	
debt limit, outside of, authority to issue certain, revoked	*1909	315	
within (<i>See</i> INDEBTEDNESS, limit of)			
emergency, public works projects, for, regulated	1933	366	2-5
	*1934	21	
	1935	404	
	1936	83	
	1936	414	
general laws as to, made applicable to city	1936	224	

	Year	Chapter	Section
LOANS — <i>Concluded</i>			
interest rate on, determination	1890	418	7
	1896	163	
	1898	471	
	*1913	788	
	1914	364	
	1918(S)	52	
investigations relative to, finance commission to make	1908	562	
	1909	486	18
issuance, regulated	1890	418	7
	1896	163	
	1898	471	
	1902	522	
	1909	486	26
	1910	437	
	1911	165	
<i>See also</i> LOAN ORDERS			
notes, provisions as to	1896	163	
	1898	471	1
orders for (<i>See</i> LOAN ORDERS)			
payable in annual installments, to be	1909	486	26
payment of certain, time extended for	*1891	321	
premiums on, disposition	1898	471	
	1902	522	1
	1909	486	26
	1911	165	
proposals for purchase of, treasurer to invite	1890	418	7
ratification of certain	1902	522	2
revenue anticipation loans, exempt from certain pro- visions	1890	418	7
rate of interest on	1890	418	7
<i>See also, infra</i> , temporary revenue loans			
scrip, provisions as to	1896	163	
	1898	471	1
sinking funds, commissioners of, payment to, of certain unexpended balances of	1917(S)	111	
	1928	174	
purchase by, certain requirements dispensed with	1890	418	7
not to be established	1909	486	26
except for transit loans	1910	437	
payments into	1898	471	2
	1902	522	1
<i>See also</i> SINKING FUNDS			
temporary revenue loans, loan orders for, special pro- visions as to	1933	113	
provisions of general law applicable to	1934	11	2
renewal of	1934	11	2
validation of certain	1934	11	3
terms of, relative to	1896	163	
	1898	471	2
	1902	522	1
	1914	364	
	1918(S)	52	
transfers from funds obtained by, certificate of mayor required	1891	206	
for use for appropriations to be met by loan	1893	192	
replacing of amounts used	1893	192	
transit, special provision as to	1910	437	
trust funds, persons in charge of, purchase by, certain requirements dispensed with	1890	418	7
unexpended balances of proceeds of certain, disposition	1917(S)	111	
	1928	174	
<i>See also</i> BONDS; INDEBTEDNESS; LOAN ORDERS			

	Year	Chapter	Section
LOCK-UPS			
management, regulated	*1873	175	
	*1881	136	
<i>See also</i> JAILS; PENAL INSTITUTIONS			
LODGING HOUSES			
<i>See</i> TENEMENT AND LODGING HOUSES			
LONG ISLAND			
water supply to	1889	74	
LONG ISLAND HOSPITAL			
Boston harbor, persons on islands, boats, etc., in, emergency, etc., treatment at	1929	219	
chronically ill persons, treatment of certain, at	1929	219	
LONG POND			
<i>See</i> WATER			
LONGFELLOW BRIDGE			
name of Cambridge bridge changed to street under, construction of certain	1927 *1929	33 371	
<i>See also</i> CAMBRIDGE BRIDGE; WEST BOSTON BRIDGE			
LONGWOOD AVENUE BRIDGE			
reconstruction, etc.	*1897	162	
LORD'S DAY			
laws relating to, repeal of certain	*1760-61	20	
observation of	*1760-61	20	
LOTTERIES			
Boston Neck, paving of, for	*1755-56 *1758-59	24 38	
Faneuil Hall, repair of, for	*1760-61 *1761-62 *1765-66	26 49 11	
Roxbury, paving of certain highway in, for	*1758-59 *1760-61	39 15	
LOW LANDS			
filling of, board of health may order	1893	342	
<i>See also</i> FLATS			
LUMBER			
survey, etc., of, regulated	*1829	68	
LUNATIC HOSPITAL			
<i>See</i> BOSTON LUNATIC HOSPITAL			
M			
MAIN STREET			
Charlestown, in, grade crossing on, abolition	*1900 *1912	471 529	
MAIN STREET SUBWAY			
construction	1906	520	
<i>See also</i> CAMBRIDGE SUBWAY			
MALDEN			
Charlestown may supply water to	*1866	212	
MALDEN BRIDGE			
construction, etc.	*1786 1899	69 280	
payment of cost, loan for	1899	280	3
corporation formed to construct	*1786	69	
draw in	1899	280	2, 4
operation regulated	1913	777	3
reconstruction, widening, etc.	1913	777	3, 4
cost, payment by Boston Elevated Railway Company	1913	777	3
highway between Everett line and, lay out, etc.	*1900	296	
maintenance, etc.	*1874 1899	139 280	
public highway, to be	*1859	99	4

	Year	Chapter	Section
MALDEN BRIDGE — <i>Concluded</i>			
repair of, and assessments of costs	*1869	266	
tolls abolished	*1859	99	
MALL STREET			
land, certain, adjoining, city to raise grade of	*1873	340	
MARGINAL FREIGHT RAILWAY COMPANY			
certain act not to affect legal rights of	1876	229	3
incorporated	*1867	170	
	*1869	56	
MARINE PARK			
area enlarged	1887	427	
	*1889	438	
betterments assessed for, abatement of portion	*1893	258	
refunding of certain	*1888	376	
construction, etc.	*1885	360	
exchange of certain land with commonwealth for purposes of	*1928	264	
parkway connecting Franklin Park and, construction, etc.	1897	394	
MARKET LIMITS			
<i>See</i> MARKETS			
MARKETS			
building laws not to apply to certain buildings used for,	1907	550	9
exemption removed	1924	335	1
establishment of a public market, etc.	*1696	2	
act regulating	*1783	29	
Faneuil Hall market, extension	*1823	147	
police for, control, etc.	1895	449	26
provisions and perishable produce, sale within limits of, regulated	1907	584	8
	1908	519	
	1921	191	
	1937	90	
sidewalks in front of certain premises, use by tenants, regulated	1908	519	
street stands in, regulated	*1859	211	
	*1860	152	
	1921	191	
Gerrish Market, incorporated	*1853	131	
limits of, extended	1896	376	
farm produce, etc., sale within, regulated	1907	584	8
	1908	519	
	1921	191	
	1937	90	
streets within, use by tenants of certain buildings, regulated	1908	519	
police in, board of police to have charge of	1895	449	26
provisions and produce, sale of, from wagons, etc., without a license	1907	584	8
	1908	519	
	1937	90	
sale within limits of, regulated	1907	584	8
	1908	519	
	1921	191	
	1937	90	
sidewalks in front of certain premises, occupation by certain tenants, regulated	1908	519	
streets within market limits, provisions and produce, sale without a license in	1907	584	8
	1908	519	
	1921	191	
	1937	90	
tenants, certain, use of streets, etc., by, regulated	1908	519	
Williams Market, incorporated	*1849	243	
MARQUISES			
projecting into or over public ways, regulated	1909	486	28

	Year	Chapter	Section
MARRIAGES			
certificates of registrar to bear city seal	1898	389	
MASON STREET			
widening, etc., of portion, loan	*1912	558	
balance of loan, disposition	*1913	695	
	1917(S)	111	
MASSACHUSETTS AVENUE			
underpass at Commonwealth avenue and, construction, 1937		173	
MASSACHUSETTS AVENUE BRIDGE			
see HARVARD BRIDGE			
MASSACHUSETTS GENERAL HOSPITAL			
height of buildings, restrictions as to, exempted, from	1923	27	
MASSACHUSETTS HISTORICAL SOCIETY			
president of, to be a member of Old South Association	1877	222	
MASSACHUSETTS INSTITUTE OF TECHNOLOGY			
Back Bay, exchange with commonwealth of lands in	1875	195	
	1881	107	2
Boylston street, certain land on, construction of build- ings on	1903	438	2
release of rights of commonwealth in	1903	438	1
reserved for use of	*1861	183	
buildings for, erection, regulated	1903	438	2
time extended as to	1877	131	
	1881	107	1
Copley square, certain land on, exchange of	1875	195	
	1881	107	
granted to	*1873	174	
act void, unless	1877	131	
	1881	107	1
incorporated, etc.	*1861	183	
trustees of, Boston art commission, may suggest names for	1898	410	1
MATERIALS, SUPPLIES, ETC.			
contracts for purchase, members of city government not to be interested in	1909	486	8
MATRONS			
house of detention, in, pensioning of	1917(S)	214	
MATTAPAN DISTRICT			
River street in, etc., widening and reconstruction	*1925	323	
	1926	260	
MAVERICK BRIDGE COMPANY			
incorporated	*1868	352	
MAVERICK STREET			
grade crossing on, alteration	*1899	390	
MAYOR			
abatement of certain assessments or taxes, duties as to, 1934		353	
absence of, from organization of city government, pro- ceedings in case of	1854	448	28
"acting mayor", provision for	1909	486	47
acts during certain absence of, ratified	*1846	50	
advertising, municipal, duties as to	1909	486	29
	1934	185	
aldermen, board of, votes, etc., involving expenditures, approval by	1885	266	10
amusements, etc., licensing, etc., powers and duties as to	1908	494	
	1915(S)	348	1
	1936	340	
appeal, board of, annual report of its decisions to	1907	550	8
appointment by	1907	550	6
appointments by	1854	448	49
	1909	486	9
approval by civil service commission	1909	486	10, 11
	*1912	550	
	*1930	167	

	Year	Chapter	Section
MAYOR — <i>Continued</i>			
appointments by — <i>Concluded</i>			
certificates of appointment	1909	486	10
	*1912	550	
	*1930	167	
“City Record”, publication in	1909	486	29
appropriations, approval of certain, powers as to	1909	486	4
interdepartment transfers of, approval	1893	261	
	1909	486	3
origination by, etc.	1909	486	3
powers and duties as to	*1908	292	
	1909	486	3
school purposes, for, approval by	1885	266	10
	1909	486	3
	1919(S)	206	2
	1936	224	3
recommendation of additional	1936	224	2
veto of, overriding	1919(S)	206	2
	1936	224	3
transfers of, approval by	1893	261	
	1909	486	3
	1924	479	2
approval of appropriations, orders, ordinances, etc.,			
duties as to	1909	486	4
art commissioners, board of, appointment of, by	1898	410	1
approval of contracts of	1898	410	6
assessments for highways, etc., appointment, approval			
by	1895	297	
assessors, appointment by	1918(S)	93	2, 3
Back Bay Piers, dredging, to designate officer	1903	465	10
Belle Isle Inlet bridge, construction, duties as to	1913	412	
boards, appointment of members, by	1885	266	1, 2
	1909	486	9
removal of members, by	1885	266	1
	1890	418	1
	1909	486	14
vacancies in, filling by	1909	486	12
bonds, notes, etc., facsimile signature on, permitted	1932	171	
interest payments on, powers as to	1898	471	2
issuance of, powers as to	1898	471	
	1902	522	
<i>See also, infra, loans</i>			
Boston and Cambridge bridges commission, so-called,			
appointment of one member by	1898	467	14
Boston Port Authority, appointment, etc., of certain			
members by	1929	229	1
Boston Traffic Commission, commissioner, appoint-			
ment, etc., by	1929	263	1
Boston Transit Commission, appointment of certain			
members by	1894	548	23
Boston water board, appointment by	1875	80	1
bridges, attaching rafts, etc., to, permits for	1862	73	2
budget, increases in, approval by	1909	486	3
submission to city council by	1909	486	3
supplementary, may submit	1909	486	3
building commissioner, appointment, etc., by	1907	550	1
buildings, erected contrary to law, legalization of cer-			
tain, duties as to	1915(S)	254	
public, construction, etc., powers and duties as to			
	1895	449	22
	1896	293	
	1909	486	30
Cambridge bridge commission, appointment of member			
of, by	1898	467	3
member of, to be	1898	467	3
Canal street, widening, approval by	1895	440	5

MAYOR — <i>Continued</i>	Year	Chapter	Section
cemetery department, receipts of, duties as to	1913	117	2
trustees, appointment, etc., by	1897	375	
Centre street, reconstruction of portion, approval by	1929	248	
	1931	2	
Charles river embankment, powers as to	1903	465	11, 12
	1906	402	3
Chestnut Hill reservoir, land taking, approval by	1899	274	
sale of land near, approval by	1899	274	
Chelsea south bridge loan, duties as to	1921	345	
children's institutions department, trustees, appointment by	1897	395	1
city council, administration of oaths of office to	1854	448	27
proceedings in case of absence of mayor elect	1854	448	28
appropriations, ordinances, etc., of, submission for approval	1909	486	4
information, from	1909	486	7
to	1854	448	46
may, address at any time, etc.	1909	486	7
summon	1854	448	46
orders, resolutions, etc., of, submission for approval	1909	486	4
questioning by	1909	486	7
recommendations to	1854	448	46
	1909	486	2
	1933	113	
	1934	220	
votes, etc., of, submission for approval	1909	486	4
city hospital, trustees of, appointment, etc.	1880	174	
"City Record", publication, duties as to	1909	486	29
	1934	185	
clerical assistant, vouchers, signing of certain, by	1909	486	4A
	1924	479	3
Collateral Loan Company, one director of, appointment by	1859	173	
	1876	11	
congresses, conventions, etc., on municipal affairs, appointment of representatives to	1914	274	1, 2
appropriation increased	1921	54	
contracts, alterations in, approval by	1890	418	6
approval of certain, by	1909	486	6, 30
	1886	266	6
	1890	418	6
exceeding \$2,000.00, approval required	1886	266	6
	1890	418	6
not to be interested in certain	1909	486	8
disqualifying interest, what to constitute	1909	486	8
powers and duties as to	1909	486	8, 30
Dedham & Hyde Park Gas and Electric Light Company, acquisitions, etc., of certain property of, duties as to	1937	292	
department heads, appointment by	1909	486	9, 10
monthly consultations with, calling by	1885	266	7
removal by	1909	486	14
vacancy in offices, filling by	1909	486	12
<i>See also, infra, officers</i>			
Dillaway house, so called, preservation, etc., duties as to	1930	291	
dogs running at large, powers as to	1881	278	
Dorchester, land taking, in, approval by	1903	411	
East Boston tunnel, abolition of tolls of, duties as to	1915(S)	184	
East Boston waterfront strandway, duties as to	1931	422	
election commissioners, board of, appointment, removal, etc., by	1895	449	2, 3
	1913	835	78, 79
chairman, designation by	1895	449	3
	1913	835	79

	Year	Chapter	Section
MAYOR — Continued			
election department, assistants and secretary in, appointment, approval by	1895	449	20
	1909	486	15
election of	1895	449	1
	1909	486	45-47
	1918(S)	94	
	1924	479	6
nomination for, number of signatures required	1909	486	53
	1914	730	4
special provisions as to	*1829	80	
	*1830	7	
elevated railway construction, plans for, approval by	1897	500	6
to be filed with	1897	500	6
elevator inspectors, appointment of additional, approval	1907	550	38
employees, city, reduction in salaries of	1933	121	
executive powers vested in	1885	266	6
facsimile signatures of, upon bonds, notes, etc., issued by			
city, permitted	1932	171	
fees, licenses and permits for, approval by	1910	571	
	1931	297	
qualification, etc., of certain officers, for, approval			
by	1931	297	
fence viewers, designation of two inspectors in the			
building department as	1911	76	
finance commission, appropriations for, approval of			
certain	1909	486	20
fire commissioner, appointment by	1895	449	2, 9
fire department, pensioning of certain members of,			
powers and duties as to	1880	107	
	1888	174	
	1891	404	
	1892	347	
Franklin Foundation, corporate member of, to be	1908	569	
gas fitting, inspectors of, approval of compensation	1897	265	5
Granite avenue bridge, care, control, etc., powers as to	1913	771	10
	1915(G)	58	
Haverhill street, widening, approval by	1895	440	5
height of buildings, commission on, appointment by	1904	333	2
compensation, determination by	1904	333	2
highways, powers as to (<i>See, infra</i> , streets)			
hospital, suspension of certain regulations, approval			
required	1919(S)	163	5
house of correction, construction, approval by	1899	347	1
Deer Island, at, plans for, approval by	1900	473	1
South Boston, at, sale of, by	1900	473	1
ineligible for, other office, etc.	1854	448	43
re-election for succeeding term	1918(S)	94	
information, furnishing by, to city council	1854	448	46
	1909	486	7
furnishing to, by department heads	1885	266	7
specific information may be requested of	1909	486	7
institutions commissioner, appointment by	1895	449	2, 14
institutions registrar, collection of certain statistics,			
approval by	1897	395	6
institutions registration department, trustees, appoint-			
ment by	1897	395	1
interest rate on loans, powers as to	1902	522	
	1914	364	
	1918(S)	52	
intoxicating liquor, licenses to sell, suspension by, during			
period of disorder, etc.	1906	291	19
jail, approval of plans for	1900	473	3
Jamaica pond, land abutting on, approval of taking	1892	371	
laborers, retirement board for, to be member of	1911	413	1

MAYOR — <i>Continued</i>	Year	Chapter	Section
land takings, powers and duties as to	1909	486	31
licenses and permits, fees for, approval by	1910	571	
	1931	297	
licensing board, secretary, salary established subject to approval of	1927	76	
lighting of streets, etc., contracts for, approval by	1909	486	6
listing board, appointment of one member by	1906	291	18
	1917(G)	29	7
loan orders, presentation to city council by	1909	486	2
	1933	113	
	1934	220	
resubmission by	1909	486	
loans, awarding of, approval by	1890	418	2
for purposes within debt limit, to have certificate of interest rate on, powers as to	1891	206	7
	1902	522	
	1914	364	
	1918(S)	52	
transfers from funds obtained by, auditor and treasurer to make, when directed by	1893	192	
to have certificate of	1891	206	
unexpended balances of certain, payment to sinking fund commissioners, approval by	1928	174	
market limits, extension, approval by	1896	376	
matrons of house of detention, pensions for, approval by	1917(S)	214	
mental diseases, observation cases, powers as to	1908	627	
moving picture exhibitions, special, permits for, granting by	1913	280	
North Beacon street bridge, control, duties as to	1914	780	11
not eligible for re-election for succeeding term	1918(S)	94	1
oath of office, administration to	1854	448	27
office force of, exempt from civil service	1909	486	15
officers, appointment of certain, by, etc.	1854	448	49
	1885	266	1
	1909	486	9
qualification or warrant of certain, fees for, approval	1931	297	2
removal by	1854	448	49
	1885	266	1
	1890	418	1
	1909	486	14
salaries, reductions in, ordering by	1933	121	
vacancies, certain, filling, by	1909	486	9
offices, certain, establishment, etc., by city council, approval by	1909	486	
official thoroughfare plan, adoption by	1930	168	1
old provincial state house, restoration and maintenance of, duties as to	1907	385	
	1910	298	
Old South Association in Boston, to be a member of	1877	222	
open-air meetings, etc., acquisitions, etc., of lands for, powers as to	1892	293	
	1931	15	
orders, city council, of, approval by	1909	486	4
<i>See also, supra</i> , loan orders			
ordinances, approval of certain, powers and duties as to presentation to city council by	1909	486	4
organization of city government, duties as to	1854	448	2
proceedings in case of absence of	1854	448	27
park commissioner, appointment, etc.	1875	185	28
parks, boathouses, etc., in, approval of leases for	1897	365	1
taking of lands for, etc., powers as to	1892	293	
	1931	15	
pauper institutions department, trustees, appointment by	1897	395	1

	Year	Chapter	Section
MAYOR — <i>Continued</i>			
Pawner's Bank, one director of, appointment, by	1859	173	
penal institutions commissioner, assistant to, approval of appointment	1897	395	5
deputy, appointment by	1928	389	2
playgrounds, etc., land taking for, powers as to	1892	293	
	1931	15	
police department, may assume command of, when	1885	323	6
number of patrolmen and pay of, powers as to	1906	291	13
pensioning of members of, approval by	1887	178	1
	1892	353	
	1893	51	
	1920	6	
	1930	387	
powers and duties in general	1854	448	35, 46
	1885	266	
	1909	486	1-14
public, halls, licensing of, powers and duties as to	1907	463	
improvements, orders for, approval by	1906	393	2
	1913	536	2
institutions, commissioners of, appointment by	1889	245	1
questioning of, city council, by	1909	486	7
Randidge trust fund, income of, to be applied by	1896	216	
recall of, provision for	1909	486	46
	1914	730	2
repealed	1918(S)	94	2
recommendations to city council, may make certain	1854	448	46
	1909	486	2
	1933	113	
	1934	220	
resubmission of	1909	486	2
re-election for succeeding term prohibited	1918(S)	94	1
refuse, contracts for collection, removal, etc., approval by	1909	486	6
registrar, city, appointment by, etc.	1892	314	1
removal of officers, boards, etc., powers as to	1854	448	49
	1885	266	1
	1890	418	1
	1909	486	14
resolutions, city council, of, powers as to	1909	486	4
retirement board, one member to be appointed by	1922	521	4
riots, etc., special powers in case of	1885	323	6
	1906	291	19
River street, widening, etc., approval by	1926	260	
St. Ann street, reconstruction of portion, approval by	1929	248	
salary	1885	266	11
temporary adjustment	*1885	361	
school appropriations, additional, may recommend	1936	224	2
approval by	1885	266	10
	1909	486	3
	1919(S)	206	2
	1936	224	3
veto of, school committee can override	1919(S)	206	2
	1936	224	3
school buildings, board of commissioners of, member of, appointment by	1929	351	1
school committee, filling of vacancy in, duties as to	1937	366	
not to be member of, etc.	1885	266	10
school purposes, sale of land or buildings used for, powers and duties as to	1906	259	
	1919(S)	206	7
schoolhouse commissioners, board of, appointment, etc., by	1901	473	1
schoolhouse property, utilization of, as war memorial buildings, duties as to	1921	169	
secretaries, stenographers, clerks, etc., in office of, civil service laws, exempt from	1909	486	15

MAYOR — <i>Continued</i>	Year	Chapter	Section
sewerage loans, powers and duties as to	1897	426	4, 6
	1898	257	2
	1899	450	4
	1932	224	
sewerage works, construction, etc., powers and duties			
as to	1897	426	
	1898	257	
	1899	450	
	1903	268	
	1908	204	2
	1930	178	
	1932	224	
shows, etc., licensing, etc., powers and duties as to	1908	494	
	1915(S)	348	
	1936	340	
sidewalks, construction, etc., duties as to	1916(S)	269	
	1917(S)	196	
opening of, deposits required for permits, approval			
of amount	1910	553	
signature of, clerical assistant may sign, on certain			
vouchers	1909	486	4A
	1924	479	3
soldiers' relief commissioner, appointment by	1897	441	1
specific information, to furnish city council upon request	1909	486	7
Spring Street bridge, reconstruction, duties as to	1915(G)	235	
street commissioners, board of, appointment by	1909	486	9
records of certain street licenses, inspection by	1907	584	7
streets, laying out, widening, etc., of certain duties			
as to	1895	494	
	1898	210	1
	1906	393	3
	1912	661	
	1909	486	6
lighting of, contracts for, approval by			
opening of, deposits required for permits, approval			
of amount	1910	553	
subway, approach at Canal, Causeway, etc., streets,			
leasing for certain purposes, approval by	1912	485	
commissioners, board of, appointment by	1893	478	
loans, approval of certain, by	1897	347	1
successive terms, not to have	1918(S)	94	
Suffolk county courthouse, addition, etc., to, duties as to	1935	474	1
Suffolk county officials, expenses, etc., estimates, annual			
reports to	1909	271	
	1910	373	
term of office	1909	486	45
	1918(S)	94	1
	1924	479	6
extension of certain	1909	486	1
	1924	479	1
succeeding term, not eligible for	1918(S)	94	1
theatres and public halls, licensing of, powers and			
duties as to	1907	463	
theatrical exhibitions, shows and amusements, licensing			
of, powers and duties as to	1908	494	
	1915(S)	348	
	1936	340	
suspension, etc., of licenses, powers and duties as to	1908	494	
	1915(S)	348	
	1936	340	
transit commission, members of, certain, appointment,			
by	1894	548	
powers and duties of, to be exercised by, etc.	1918(S)	185	23
trustees for children, holding of conferences with	1897	395	7
unexpended balances of certain loans, payment over by			
city treasurer to board of commissioners			
of sinking funds, approval by	1928	174	

	Year	Chapter	Section
MAYOR — <i>Concluded</i>			
vacancy in office of, filling of	1909	486	47
	1914	730	3
	1924	479	7
veterans in city service, pensioning of certain, approval by	1911	113	
removal of certain, powers as to	1897	395	10
veto power	1909	486	4
voting machines, purchase or lease, powers as to	1913	835	251
	1916(G)	43	1
vouchers, clerical assistant may sign certain	1909	486	4A
	1924	479	3
Ward's pond, land abutting, approval of taking	1892	371	
water commissioner, appointment by	1895	449	2, 12
wires, commissioner of, appointment, etc., by	1894	454	
Workingmen's Loan Association, to appoint one director of	1888	108	
written questions from city council, provisions as to	1909	486	7
zoning adjustment, board of, appointment of certain members by	1924	488	20
<i>See also</i> MAYOR AND ALDERMEN; MAYOR AND CITY COUNCIL			
MAYOR AND ALDERMEN			
Boston Elevated Railway Company approval of routes, locations, etc., of	1894	548	7, 10
	1897	500	13, 20
	1906	520	22
county buildings, construction, etc., powers as to	*1852	266	
enginemen, may increase number of	*1822	52	
fire department, appointment of members, powers as to	1850	262	1
	1873	374	2
houses of correction, powers as to	1824	28	2
	1825	182	7
innholders and common victuallers, licensing of, powers as to, transferred to police commis- sioners	1879	38	1
lamps, erection in streets, powers as to	1825	3	
police department, powers and duties as to	1853	354	3
public buildings, erection, alteration, etc., of certain, powers as to	*1852	266	4
sidewalks, construction, etc., powers and duties as to	1849	133	
	1893	437	
soldiers' relief commissioner, certain powers and duties vested in	1897	441	2
streets, grading of, powers and duties as to	1845	236	
laying out, altering, etc., powers and duties as to	*1852	266	
transferred to board of street commissioners	1870	337	2
term defined	*1882	164	
wires, placing underground, powers and duties as to	1895	454	4, 6
<i>See also</i> ALDERMEN, BOARD OF; MAYOR; MAYOR AND CITY COUNCIL			
MAYOR AND CITY COUNCIL			
appropriations, ordinances, orders, etc., powers and duties as to (<i>See</i> CITY COUNCIL; MAYOR)			
county commissioners, acting as, agriculture, trustees for county aid to, duties as to	1919(G)	75	
certain powers and duties, to succeed to	1909	486	1
departments, reorganization, consolidation, abolition, etc., powers and duties as to	1909	486	5
	1919(S)	222	
	1928	389	
	1934	227	
	1936	152	
explosives, inflammables, etc., storage of, regulation, by	1909	486	28

	Year	Chapter	Section
MAYOR AND CITY COUNCIL — <i>Concluded</i>			
fire alarm signal system, erection in Back Bay Fens, approval by	1923	309	
gasoline, oil, etc., licenses for storage of, powers as to	1909	486	28
health department building, construction, etc., in Back Bay Fens, duties as to	1929	104	
laborers, retirement of certain, upon request of	1914	765	
	1915(S)	63	
powers and duties, certain, to succeed to	1909	486	1
<i>See also</i> CITY COUNCIL; MAYOR			
public ways, coal holes, vaults, bay windows, etc., in, under, etc., permits for, duties as to	1909	486	28
schoolhouse commissioners, board of, salaries, establishment, powers as to	1927	192	
term defined for certain purposes	1909	486	1
voting precincts, readjustment of, duties as to	1918(G)	74	1
provision repealed	1920	636	1
<i>See also</i> CITY COUNCIL; MAYOR; MAYOR AND ALDERMEN			
MEASURES			
<i>See</i> WEIGHTS AND MEASURES			
MECHANIC ARTS HIGH SCHOOL			
establishment, etc.	1900	171	
MECHANICS			
retirement of (<i>See</i> LABORERS, retirement of)			
MEDFORD			
Charlestown to erect, etc., hydrants in	1861	105	16
	*1866	212	
water pipes through, Boston may lay, etc.	*1880	126	
MEDICAL BOARD			
<i>See</i> RETIREMENT SYSTEM, medical board			
MEETING HOUSE HILL			
title of First Parish in Dorchester to certain land on, confirmed	*1912	282	
MEETINGS			
open-air, spaces to be provided for	1892	293	
	1931	15	
MELVILLE AVENUE			
Dorchester, in, location, etc., relative to	*1897	167	
MEMORIALS			
old provincial state house, preservation and maintenance of	1907	385	
	1910	298	
schoolhouse property, utilization of, as war memorial buildings, authorized	1921	169	
MENTAL DISORDERS			
persons suffering from, confinement, etc., of, regulated examination, etc., of	1910	307	3
observation wards for, establishment, etc.	1908	627	
placing in certain hospital	1910	307	
<i>See also</i> INSANE PERSONS			
MERCHANDISE			
sale of, in streets (<i>See</i> MARKETS; STREETS, in general, merchandise)			
MERIDIAN STREET BRIDGE			
established	*1855	335	
	*1856	109	
reconstruction, repair, maintenance	1911	581	
apportionment of cost	1913	341	
loan in connection with	1919(G)	78	
MERRIMAC STREET			
widening, etc., in connection with vehicular tunnel approach	1932	287	1

	Year	Chapter	Section
MESSENGER, CITY			
exempted from certain provisions	1885	266	2
office abolished	1909	486	1
METAL COVERED STEEL FRAME BUILDINGS			
erection, in certain sections, authorized	*1918(S) 1927	115 42	
METERS			
water, installation	1917(S) 1918(S)	269 45	
use, authorized	1881	205	
<i>See also</i> WATER			
METROPOLITAN DISTRICT			
highway and other improvements within	1930 1931 *1929	420 454 383	
transportation facilities in			
METROPOLITAN DISTRICT COMMISSION			
bridges, certain, over Charles river, care, control and maintenance, by	1931 1921	423 497	
construction, etc., by	1921 1924 1926 1927	501 416 327 320	
Old Colony boulevard, areas of street intersections within, care, control, etc., of certain	*1932	288	
transfer to, of certain powers and duties of state de- partment and commissioner of public health	1920	296	
West Roxbury parkway, care, control, etc., of portion, transfer to	*1927	272	
METROPOLITAN PARK COMMISSION			
Charles river, sewage in, may order removal of	1903	465	7
Charles river basin, control, etc., by	1903 *1906 1909 1911 *1893	465 368 524 424 407	7
establishment West Roxbury parkway, care, control, etc., of, trans- ferred to	1915(G)	270	
METROPOLITAN TRANSIT COUNCIL			
establishment	*1929	383	
METROPOLITAN WATER SUPPLY			
assessments for, application of certain funds to	1898 1903 1914 *1895	427 191 324 488	1 2 1
provision for			
taking of portions of water works for, disposition of sums received on account of	1898 1914	427 324	2 2
MILITARY DUTY			
fire department, officers and members exempt from	1850	262	4
MILITIA			
land for parade and target practice	*1898	142	
naval brigade of, armories for, construction, etc.	*1903 *1904 *1913	304 405 659	
MILK INSPECTORS			
office abolished and powers and duties transferred to health inspectors	1985	449	19
designation retained	1896	250	
MILK STREET			
extension	*1865	159	
MILL DAM			
streets on northerly side of, plan confirmed	1861	142	
water pipes in, city may lay, etc.	1864	271	

	Year	Chapter	Section
MILL DAM ROAD			
highway, to be laid out as	*1868	291	
MILLERS			
grain, to grind promptly	*1728-29	6	
regulated	*1728-29	6	
scales, etc., to have	*1762-63	19	
MILLER'S RIVER	*1728-29	6	
bridge over, widening of draws in certain	*1869	311	
	*1870	300	
	*1870	401	
MILLS			
regulated	*1728-29	6	
MINER STREET			
acceptance	*1896	123	
MINORS			
free employment office for, establishment, etc.	1913	389	
<i>See also</i> CHILDREN			
MISSION HILL PLAYGROUND			
transfer of portion of, to library department	1930	357	
MOON ISLAND			
bridge between Squantum and, construction	1879	230	
sewer discharging at, construction, etc.	1876	136	
	1879	230	
	1882	256	
water supply	1889	74	
MORTON STREET			
widening, etc., of portion	*1925	325	
MORTUARIES			
Suffolk county to provide and maintain certain	1911	252	
	1912	631	
MOTOR VEHICLES			
garaging of (<i>See</i> GARAGES)			
parking of, by members, etc., of general court near state house	1934	140	
regulated	1929	263	
	1935	319	
second-hand, purchase and sale, regulated	*1919(G)	259	
sight-seeing automobiles (<i>See</i> SIGHT-SEEING AUTO-MOBILES)			
taxis (<i>See</i> HACKNEY CARRIAGES AND HACKEY STANDS)			
vehicular street traffic, regulated	1929	263	
	1935	319	
<i>See also</i> BOSTON TRAFFIC COMMISSION; VEHICLES			
MOTORMEN, ETC.			
street cars, on, licensing	1879	59	
	1880	99	
	1897	343	
MOUNT HOPE CEMETERY			
annexed to Boston	1872	197	
control, etc., of	1897	375	
established	1849	150	2
public burying ground, part of, to be	1897	375	
transfer and management of	*1889	265	2
MOUNT WASHINGTON AVENUE CORPORATION			
incorporated to construct bridge	*1853	255	
MOVING PICTURES			
building law provisions	1907	550	
special exhibitions in churches, halls, etc., permits for	1913	280	106
<i>See also</i> THEATRICAL EXHIBITIONS, SHOWS AND AMUSEMENTS			
MUDDY RIVER			
covered channel for	1876	136	3
dam across, erection, etc.	1872	267	2

	Year	Chapter	Section
MUDDY RIVER — <i>Concluded.</i>			
dredging of	*1930	97	
new channel for	1873	260	1
sewers may be extended into	1873	260	2
owners of land bordering on, may fill up lands, etc.	1872	267	4
waters of, diversion of	1872	267	3
damages for, how assessed	1872	267	5
MUNICIPAL ADMINISTRATION			
investigation as to	*1894	446	
MUNICIPAL AFFAIRS			
representation of city at congresses, conventions, etc.,	1914	274	1, 2
on, provisions for			
increased expenditures authorized	1921	54	
MUNICIPAL BUILDINGS			
Back Bay Fens, health department building, construction in	1929	104	
Brighton and Allston district, construction in, loan	*1924	399	
Charlestown district, construction in, loan for	*1931	347	
East Boston district, construction in	*1934	178	
Fields Corner section of Dorchester district, construction in, loan for	*1931	295	
Franklin Field in Dorchester district, construction on, loan for	*1931	294	
West Roxbury district, construction, etc., in	*1912	338	
<i>See also</i> PUBLIC BUILDINGS			
MUNICIPAL COURT			
<i>See</i> COURTS			
MUNICIPAL INDEBTEDNESS			
<i>See</i> BONDS; INDEBTEDNESS; LOANS; TAX LIMIT			
MUNICIPAL PRINTING PLANT			
<i>See</i> PRINTING PLANT			
MUNICIPAL PURPOSES			
appropriations for	*1919(S)	172	
	*1919(S)	252	
	*1920	401	
	*1922	205	
	*1923	223	
	*1924	328	
	*1925	271	
	*1926	117	
	*1927	243	
	*1928	200	
	*1929	140	
	*1930	105	
	*1931	29	
	*1932	125	
	*1933	159	
	*1934	201	
	*1935	284	
<i>See also</i> APPROPRIATIONS			
MUNICIPAL YEAR			
establishment	1909	486	33
changed	1924	479	5
MUSEUM OF FINE ARTS			
Back Bay Fens, exchange of land in	*1904	290	
	*1905	89	
trustees of, Boston Art Commission, may suggest names for	1898	410	1
MUSICAL FESTIVAL			
erection of wooden building for, authorized	*1872	240	
MYSTIC LOWER POND			
nuisance in, abatement	*1881	303	
waters of, protection of purity of	*1881	303	

	Year	Chapter	Section
MYSTIC RIVER			
channel in, relocation of, near Malden bridge	1913	777	3, 4 1
fishway in, Charlestown to maintain	1861	105	
public boat landing on	*1911	142	
MYSTIC VALLEY			
sewage disposal system for, construction, maintenance, etc.	*1889	439	
sewer in, construction, etc.	*1875	202	
	*1877	11	
water from, taking, authorized	*1874	400	
MYSTIC WATER BOARD			
abolished	1875	80	2
established	1865	105	
<i>See also</i> WATER			

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NAMES			
of streets, how fixed (<i>See</i> STREETS)			
NASHUA STREET			
highway from Charles river dam to, construction, loan,	*1927	261	
reconstruction	*1929	371	
widening	*1927	261	
NASHUA STREET PARK			
loan for, authorized	*1932	203	
NATICK			
water of Long pond, may use	1846	167	14
NATIONAL INDUSTRIAL RECOVERY ACT			
benefits provided by, securing of	1933	366	
	*1934	21	
	1935	404	
	1936	83	
	1936	414	
reference to, etc., deemed to refer to all federal acts authorizing grants	1936	414	
	1937	159	
subway, construction, under provisions of	1933	366 (Pt. II)	
	1937	159	
NAVAL BRIGADE			
armories for, construction, etc., of certain	*1903	304	
	*1904	405	
	*1913	659	
NAVY YARD			
land near, jurisdiction ceded to the United States	1900	247	
NECESSARIES OF LIFE			
constitutional amendment enabling cities and towns to handle, manner of proceeding under, *1918(G)		205	
NEGLECTED CHILDREN			
<i>See</i> CHILDREN			
NEPONSET AVENUE BRIDGE			
draw in, widening	*1888	279	
NEPONSET BRIDGE			
care, control, etc., to vest in metropolitan park com- mission	1915(G)	300	10
completion	1919(G)	238	
	1922	380	
construction	1915(G)	300	
	1917(G)	220	
	1919(G)	238	
	1922	380	
approaches	1915(G)	300	1, 4 1
	1919(G)	238	
cost, apportionment	1915(G)	300	5
	1919(G)	238	2
	1922	380	2

	Year	Chapter	Section
NEPONSET BRIDGE — <i>Concluded</i>			
construction — <i>Concluded</i>			
cost — <i>Concluded</i>			
assessment	1915(G)	300	7
borrowing by city to meet	1915(G)	300	8
	1919(G)	238	4
	1922	380	2
	1922	380	2
expenditures	1915(G)	300	6-8
	1917(G)	220	
	1919(G)	238	2-4
	1922	380	2-4
specifications	1915(G)	300	1, 3
	1919(G)	238	1
	1922	380	1
NEPONSET RIVER			
sewerage system, connection with municipal system . . .	*1897	502	
NEWBURY STREET			
buildings at No. 337, exempted from certain regulations			
as to garages	1912	259	
parcel of land, at Arlington street and, released from			
certain restrictions	*1913	579	
between Arlington and Berkeley streets, released			
from certain restrictions	1927	246	
NEW ENGLAND HISTORICAL GENEALOGICAL SOCIETY			
president of, to be a member of Old South Association	1877	222	1
NEW ENGLAND RAILROAD COMPANY			
Broadway bridge, payment by, for raising	1900	452	
Northern avenue, tracks in	1903	381	
release of land to city	1903	381	3
	*1904	229	
Sleeper street, tracks in	1903	381	
release of lands to city	1903	381	3
	*1904	229	
terminal facilities of	*1896	535	
NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY			
bridge over tracks of Midland division, reconstruction			
of certain	1926	260	
Northern avenue, tracks in	1903	381	
release of lands to city	1903	381	3
	*1901	229	
Providence division of, grade raised and location			
changed	*1896	321	
Shawmut branch of, Dorchester tunnel, extension, as			
affecting	1923	480	2, 14
Sleeper street, tracks in	1903	381	
release of lands to city	1903	381	3
	*1904	229	
NEWSPAPERS			
municipal advertising in, provisions as to	1934	185	
NEWTON			
annexation of part of Boston to	*1875	184	
boundary line between Boston and, changed	*1874	277	
	*1898	242	
	*1898	431	
Brighton, may lay sewer, etc., in	1877	144	
part of, annexed to Roxbury	*1838	167	
reservoirs in, Boston may construct and maintain . . .	*1881	129	
sewage and surface water of, disposal through Boston			
system, contracts for, authorized	1899	89	
sewers and drains, construction, etc., in Beacon street			
in Boston	1902	480	1
damages in connection with	1902	480	2
NIGHT ELEVATOR INSPECTION			
provision for	1924	332	

NOMINATIONS

See ELECTIONS, nomination papers; nominations

NORMAL SCHOOL

	Year	Chapter	Section
building for	*1899	239	
degrees, granting of certain, at	1922	273	
establishment, ratified	1874	167	
head master, election	1906	231	
men, admission to	1904	212	2
name changed, etc.	1924	142	
school committee to have charge of	1874	167	
teachers, instruction for, in	1882	136	

See also TEACHERS COLLEGE OF THE CITY OF BOSTON

NORTH BEACON STREET BRIDGE

reconstruction	1914	780	
approaches	1914	780	3
cost	1914	780	4
apportionment	1914	780	5, 6
payment, loan	1914	780	8
maintenance, control, etc., after	1914	780	11, 12
specifications	1914	780	1, 2
street railway location on, obligations as to	1914	780	12

NORTH CITY HAY SCALES, SUPERINTENDENT OF

civil service, placed under	1915(S)	219	
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NORTH END PARK

completion	*1896	453	
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NORTHAMPTON STREET

land, certain, adjoining, grade of, raising	*1873	340	
nuisance on, abatement, etc.	*1877	217	

NORTHERN AVENUE

agreements relating to, performance	*1901	507	
construction, etc.	1903	381	
railroad tracks on	1903	381	1
release of certain land on	1903	381	3
	*1904	229	

NORTHERN AVENUE BRIDGE

boat landing at, construction, etc.	1909	284	
construction, etc., loan	1903	381	

NOTES, SCRIP, ETC.

See BONDS; LOANS

NUISANCES

abatement of certain	*1798	47	
	*1799	10	
	*1803	11	
	*1803	125	
	*1809	10	
	*1809	124	
	*1867	308	
	*1867	353	
	*1868	277	
	*1869	153	
	*1871	108	
	*1872	312	
	*1877	217	

See also HEALTH

Atlantic avenue, on, prevention, etc., of	*1869	181	
buildings erected contrary to law, to constitute	1907	550	132
Charles river, in, abatement of certain	*1866	247	
horses, sale at auction at certain places, to constitute	1905	426	2
Mystic lower pond, in, city to abate	*1881	303	
Prison Point bay, in, abatement	*1878	197	
	*1881	238	
	*1883	144	
public alleys, removal from	1898	298	2

NURSES

school nurses, appointment, duties, etc.	1907	357	1
qualifications	1907	357	2

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	Year	Chapter	Section
OAKLAND STREET			
grade crossing on, abolition	*1900	453	
widening, etc., loan	*1926	220	
OBSERVATION STANDS			
construction, etc., regulated	1907	550	13
roofs, not permitted on	1907	550	13
OBSERVATION WARDS			
establishment, etc., for care of certain cases	1908	627	
OFFICERS			
accountability for public money	1854	448	51
accountable to mayor	1885	266	6
appointment of	1854	448	49
	1885	266	1, 2
	1909	486	9
	1909	486	10
approval, required	1909	486	10
appropriations, expenditures in, advance of, by, regulated	1885	266	6
	1889	320	
	1935	151	
excess of, by, prohibited	1909	486	16
contracts, corporations, etc., with, regulated	1909	486	8
not to be interested in certain	*1908	522	
	1909	486	8
powers as to	1885	266	6
	1890	418	5, 6
emergency public works projects, additional powers in connection with	1933	366	3
expenditures, in advance of appropriations, regulated	1885	266	6
	1889	320	
	1935	151	
in excess of appropriations, prohibited	1909	486	16
estimates of, submission by	1909	486	3
financial interest in city contracts, etc., not to have	1909	486	8
heads of departments (<i>See</i> DEPARTMENTS, heads of)			
lists of, preparation and printing	1909	486	27
	1919(S)	168	
	1922	133	
public inspection, copy for	1922	133	
powers and duties in general	1885	266	6
	1889	320	
to remain as previously constituted	1909	486	5
	1934	227	
purchases of materials, etc., not to be interested in	1909	486	8
qualification or warrant of certain, fees for, fixing of	1931	297	2
qualifications for appointment of certain	1909	486	9
removal of	1854	448	49
	1885	266	1
	1890	418	1
	1909	486	14
salaries, annual increments of, reinstated	*1934	228	
deductions from, as contributions to public welfare, action as to, ratified	1933	121	6
powers of mayor as to	1909	486	5
	1934	227	
prescribing by ordinance	1881	229	1
reductions in	1933	121	
partial restoration	*1934	289	
subordinate, appointment, not subject to certain provisions	1885	266	2
term construed	1890	418	2
to hold office until removed	1890	418	3
terms of office	1890	418	1
	1909	486	13
to continue until successor appointed and qualified,	1885	266	4
	1890	418	1

	Year	Chapter	Section
OFFICERS — <i>Concluded</i>			
vacancies, filling of certain	1909	486	12
See also BOARDS; DEPARTMENTS, heads of; EMPLOYEES; and under names of specific officers			
OFFICIAL THOROUGHFARE PLAN			
establishment, etc.	1930	168	
OLD COLONY AVENUE			
improvement, damages resulting from, petitions for	*1905	288	
OLD COLONY BOULEVARD			
areas of street intersections within, care, control, etc., of certain	*1932	288	
OLD COLONY RAILROAD COMPANY			
Providence division, change of location and raising of grade of	*1893	126	
OLD HARBOR			
improvement, etc.	*1916(S) *1920	274 393	
OLD PROVINCIAL STATE HOUSE			
restoration and maintenance of	1907 1910	385 298	
OLD SOUTH ASSOCIATION IN BOSTON			
board of managers	1877	222	2
incorporated	1877	222	
members	1877	222	1
how admitted	1877	222	2
OLD SOUTH MEETING HOUSE			
preservation of	1877	222	
taxation, exempted from	1877	222	4
use for public purposes	1877	222	3
OLD STATE HOUSE			
See OLD PROVINCIAL STATE HOUSE			
OLIVER STREET			
extension of, loan	*1889	283	
OPEN-AIR MEETINGS			
acquisition and preparation of lands for	1892 1931	293 15	
ORDERS			
approval or rejection of certain	1909	486	4
loan (See LOAN ORDERS)			
ORDINANCES			
approval or rejection of	1909	486	2, 4
buildings, construction, alterations, etc., relative to	1912	713	
confirmation of certain	1881	229	2
enacting of, provisions as to	1854 1888 1909 1881	448 229 486 229	35 2, 4 3
style of	1881	229	
finest and penalties for breach of, to be paid into city treasury	1881	229	4
force of law, to have, when	1909	486	2
hawkers and peddlers to carry on business in conformity to	1907	584	9
insane persons, relative to, city council may pass	1857	35	3
method of publishing	1881	229	3
officers, compensation of certain, may be prescribed by, etc.	1881	229	1
duties of certain, may be prescribed by, etc.	1881	229	1
origination, city council, by	1909	486	2, 4
approval, etc.	1909	486	4
mayor, by	1909	486	2
approval, etc.	1909	486	2
powers of mayor and city council to enact	1854 1881 1909	448 229 486	35 2, 4 3
public institutions, board of directors for, relative to	1857	35	

	Year	Chapter	Section
ORDINANCES — <i>Concluded</i>			
rejection of	1909	486	2, 4
resubmission after	1909	486	2
vehicles and loads, size and shape of, regulation by	1880	134	
ORPHANS			
receiving benefit of John Boylston's Charitable Donations may be bound out during minority	1813	171	
OVERHEAD WIRES			
removal of (<i>See</i> WIRES AND ELECTRIC APPLIANCES)			
OVERPASSES AND UNDERPASSES			
Commonwealth Avenue underpass, construction, etc.	1937	173	
Jamaicaway, Riverway and Huntington avenue, and, construction, etc.	1934	380	
	*1935	368	
OVERSEERS OF THE HOUSE OF CORRECTION			
<i>See</i> CORRECTION, HOUSES OF			
OVERSEERS OF THE POOR IN THE CITY OF BOSTON, THE			
accounts, acts, etc., of, annual examination	1862	204	
	1864	128	4
alms, receiving of, in public places, may grant licenses for	1909	538	
Boston asylum, may surrender indigent boys to	*1823	53	
chairman and officers, designation, etc.	1864	128	3
contracts, etc., not to be interested in	1864	128	6
election, etc.	1864	128	2
John Boylston's Charitable Donations, Trustees of, powers and duties as to	1864	128	1
	1868	183	
name changed to The Overseers of the Public Welfare in the City of Boston	1921	146	
organization, etc.	1864	128	3
	1892	131	
powers and duties	1864	128	
	1921	146	
property, additional, may hold	1868	183	
	*1875	73	
	1888	324	
qualifications, etc.	1864	128	2
removal, etc.	1864	128	2
terms of office	1864	128	2
title established	1864	128	1
vacancies in office of	1864	128	2
<i>See also</i> OVERSEERS OF THE POOR OF THE TOWN OF BOSTON, THE; POOR			
OVERSEERS OF THE POOR OF THE TOWN OF BOSTON			
children, may bind out certain	1735-36	4	5, 6
	1813	171	
idle and indigent persons, commitment by	1735-36	4	4
incorporated	1771-72	20	
intruders, etc., powers as to	1735-36	4	7
John Boylston's Charitable Donations, Trustees of, incorporated with certain other persons as	1802	44	
	1813	171	
officers, etc.	1771-72	20	5
orphans, certain, powers as to	1813	171	
powers and duties	1735-36	4	
	1771-72	20	
	1813	171	
transferred to The Overseers of the Poor in the City of Boston	1864	128	1
property, may hold	1771-72	20	3

	Year	Chapter	Section
OVERSEERS OF THE POOR OF THE TOWN OF BOSTON — <i>Concluded</i>			
title changed	1864	128	
See also OVERSEERS OF THE POOR IN THE CITY OF BOSTON, THE			
OVERSEERS OF THE PUBLIC WELFARE IN THE CITY OF BOSTON, THE			
name of Overseers of the Poor changed to	1921	146	
See also OVERSEERS OF THE POOR IN THE CITY OF BOSTON, THE			

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PARADES			
military, not allowed in parks, except, etc.	1875	185	3
PARENTAL SCHOOL			
abolished, etc.	1914	738	7, 8
act affected	1915(S)	34	2
commitments to	*1886	282	
establishment, etc.	*1886	282	
land and buildings of, transfer to hospital department	1915(S)	34	
releases from, regulated	*1896	514	
transfer to, of certain children under commitment	*1886	282	
PARK COMMISSIONERS, BOARD OF			
in general, advertisements, etc., near parks, control of,			
by	1898	540	
.	1903	331	1
.	1905	205	
annual report of	1875	185	15
betterments, assessment, by	1875	185	7
boathouses, refectories, etc., lands for, leasing	1897	365	
boundary roads, etc., powers as to	1898	540	
.	1903	331	1
.	1905	205	
building law, effect on powers of	1907	550	10
buildings in parks, construction of certain	1889	129	
chairman, to be associate commissioner of Boston Traffic Commission	1929	263	1
cities and towns adjoining Boston, appointment in	1875	185	16
powers and duties	1875	185	16
city council, not to be members of	1875	85	1
compensation	1875	185	2
damages for acts of, recovery of, etc.	1875	185	5
engineers, etc., appointment, etc.	1875	185	3
established	1875	185	1
fences, placing, etc., regulation as to	1898	540	
.	1903	331	1
.	1905	205	
fountains, placing, etc., by	1898	540	
.	1903	331	1
.	1905	205	
land takings by, damages, recovery of	1875	185	5
regulated	1875	185	3, 9
to file description in registry	1875	185	4
official thoroughfare plan, establishment, etc., powers and duties as to	1930	168	
parks, laying out and location, by	1875	185	3
parkways and boulevards, may connect with public ways	1898	540	1
playgrounds, powers as to	1903	331	2
police force, appointment, etc.	1875	185	3
control of	1895	449	26
powers and duties in general	1875	185	
.	1898	410	3
.	1898	540	
.	1903	331	

	Year	Chapter	Section
PARK COMMISSIONERS, BOARD OF — <i>Concluded</i>			
in general — <i>Concluded</i>			
power and duties in general (<i>concluded</i>)	1905	205	
not impaired by act creating art commission	1898	410	3
public ways, may connect with parkways, etc.	1898	540	1
qualifications	1875	185	1
removal of members	1875	185	1
seats, etc., placing, etc., by	1898	540	2
	1903	331	1
	1905	205	1
shelters in parks, construction of, by	1889	129	
standpipes, placing, etc., by	1898	540	
	1903	331	1
	1905	205	
streets, laying out, etc., over parks, powers as to	1875	185	13
term of office of members	1875	185	1
trees, etc., planting, etc., by	1898	540	2
	1903	331	1
	1905	205	1
vacancies in, filling of	1875	185	2
works of art, etc., placing, etc., by	1898	540	
	1903	331	
	1905	205	
Arnold Arboretum, taking of certain land of, by	1880	144	
	1895	45	
Centre street, portion, to be in charge of	1929	248	1
Charles river embankment, construction by	*1881	92	
	*1886	65	
	*1886	134	
	*1891	344	
	*1893	435	
	1903	465	11
	1906	402	3
Chestnut Hill reservoir, land near, sale	1899	274	3
taking, etc., by	1899	274	
	1900	320	
	1897	394	2
Columbia road, control of, by			
Dorchester district, certain land in vicinity of Dunbar avenue in, school committee authorized to transfer to	1931	229	
Franklin and Marine parks, parkway connecting, con- trol of, by	1897	394	
Jamaica pond, taking, etc., by	1892	371	
Marine park, construction, etc., by	*1885	360	
	1887	427	
	*1889	438	
Roxbury district, Mission Hill playground in, portion of, transfer to library department	1930	357	
school committee authorized to use playgrounds, build- ings, etc., under control of	1907	295	2
wards six and seven, park or playground in, construc- tion, etc., by	1893	282	
<i>See also</i> PARK DEPARTMENT; PARKS			
PARK DEPARTMENT			
commissioners (<i>See</i> PARK COMMISSIONERS, BOARD OF)			
Commonwealth Avenue underpass, to be under control of	1937	173	4
Dorchester district, hospital department authorized to transfer certain land in, to	1924	70	
East Boston district, transfer of certain lands in, to the school committee	1923	308	
East Boston waterfront strandway, construction by	1931	422	
health department building, erection in Back Bay Fens, approval by	1929	104	

	Year	Chapter	Section
PARK DEPARTMENT — <i>Concluded</i>			
Parker hill in Roxbury district, transfer of certain land on, to	1931	40	
White, George Robert, trustees under will of, transfer of certain park land to, by	1937	258	
PARK POLICE			
control, etc., of	1875	185	3
	1895	449	26
PARK SQUARE			
act relative to	*1867	308	
PARK STREET			
Dorchester, in, lay out of certain land adjoining . . .	*1897	167	
PARKER HILL			
reservoir at, construction	1873	287	
PARKER STREET			
conveyance to city	*1874	286	
nuisance on certain land adjoining, abatement of certain, .	*1872	312	
PARKING OF MOTOR VEHICLES			
<i>See</i> MOTOR VEHICLES, parking of			
PARKS			
in general, advertisements, display in, regulated . . .	1898	540	2
	1903	331	
	1905	205	
alms, receiving, in, regulated	1909	538	
appointment of park commissioners in cities and town adjoining Boston	1875	185	16
betterment assessments	1875	185	7
jury trial	1875	185	10
payment, by owner	1875	185	11
additional rent, etc., charging of	1875	185	11
time of making, limited	1875	185	8
to constitute a lien	1875	185	9
boathouses, etc., lease of lands in, for	1897	365	
boundary roads, powers of commissioners as to	1898	540	
	1903	331	1
	1905	205	
building line and height of buildings on	*1896	313	
	*1897	379	
buildings in, construction of certain	1889	129	
cities and towns adjoining Boston, park commissioners in, appointment	1875	185	16
construction, loans, etc.	*1870	283	
	1875	185	
	*1882	168	
	*1886	304	
	*1887	312	
	*1888	392	
	*1891	301	
	*1893	211	
	*1894	396	
	1897	394	
	*1896	453	
	*1898	313	
	*1899	303	
damages for land takings, recovery of, etc.	1875	185	5
drinking fountains, placing, control, etc.	1898	540	
	1903	331	1
	1905	205	
fences, placing, control, etc.	1898	540	
	1903	331	1
	1905	205	
lamplighters in, appointment to other positions . . .	*1922	35	
land taken for, damages, recovery, etc.	1875	185	5
fee of, to vest in city	1875	185	6
sale of certain	*1898	141	

	Year	Chapter	Section
PARKS — Continued			
in general — <i>Concluded</i>			
land takings for, provision for certain	1892	293	3
	1931	15	
regulated	1875	185	3, 4
laying out, etc., regulated	1875	185	3
lighting of, contracts for, regulated	1909	486	6
loans for (<i>See, supra</i> , construction, loans, etc.)			
location of	1875	185	3
military drills, etc., in, regulated	1875	185	14
park commissioners, powers and duties as to	1875	185	3
	1898	410	3
	1898	540	
	1903	331	
	1905	205	
<i>See also</i> PARK COMMISSIONERS, BOARD OF			
police in, control, etc.	1875	185	3
	1895	449	26
railroads, laying out, over, regulated	1875	185	13
rules, etc., park commissioners, may make, etc.	1875	185	3
violation, penalty	1898	540	3
seats, etc., placing, etc., in	1898	540	2
	1903	331	1
	1905	205	1
shelters in, construction of	1889	129	
sinking fund, establishment, etc.	1875	185	12
	*1882	168	
	1893	282	
standpipes, placing, etc., in	1898	540	
	1903	331	1
	1905	205	
streets, etc., laying out, over, regulated	1875	185	13
tide waters, in, construction, etc., time extended	*1896	284	
trees, etc., planting, control, etc.	1898	540	2
	1903	331	1
	1905	205	1
works of art, placing, in,	1898	540	
	1903	331	1
	1905	205	
Arborway, assessments, abatement	*1895	185	
Arnold Arboretum, extension	1895	45	
	*1920	126	
lease of portion, to Harvard College	1880	144	
	1895	45	
park commissioners may take certain land of	1880	144	
	1895	45	
taking of certain land from, for street purposes	*1901	488	
Back Bay, Copley square, in	1875	195	
	1881	107	
Back Bay Fens, parcel of park land in, transfer of cer- tain, to trustees under will of George Robert White	1937	258	
Charles river basin, metropolitan parks system, to be a part of	1909	524	10
	1911	424	
Charles river embankment, construction, etc.	*1881	92	
	*1886	65	
	*1886	134	
	*1891	344	
	*1893	435	
	1903	465	11, 12
	1906	402	3, 4
assessments for	1906	402	4

PARKS — *Concluded*

	Year	Chapter	Section
Charles river embankment — <i>Concluded</i>			
balance due on account of, payment	*1925	251	
loan for	*1926	218	
land for approach to, taking	1903	465	13
Charlestown district, construction of certain, loan	*1908	445	
Chestnut Hill reservoir, land near, taking, loan, etc.	*1890	271	
Columbia road, control of, etc.	*1890	444	
Copley square, land on, granted to city for	1899	274	
exchange, etc., of	1900	320	
Dorchester district, conveyance of certain park land on	1897	394	2
Washington street in	1875	195	
transfer of certain school land for purposes of, etc.,	1881	107	
Dorchester Point, on (<i>See infra</i> , Marine park)	*1936	153	
East Chester park, abatement of nuisance on certain	1931	229	
land adjoining	*1877	217	
Franklin park, land adjoining, on Seaver street, sale of			
certain	*1896	411	
parkway connecting marine park and, construc-			
tion	1897	394	
Jamaica park, assessments, abatement of	*1895	185	
Jamaica pond, taking for park purposes, of	1892	371	
Marine park, area enlarged	1887	427	
construction, etc.	*1889	428	
betterment assessments, abatement of certain,	*1885	360	
exchange of land with commonwealth	*1888	376	
parkway connecting Franklin park and, construc-	*1893	258	
tion, etc.	*1928	264	
metropolitan parks system, Charles river basin to be a	1897	394	
part of	1909	524	
Nashua street, on, loan for	1911	424	
North End park, completion, loan	*1932	203	
Parker Hill in Roxbury, certain land on, transferred to	*1896	453	
park department for park purposes	1931	40	
Seaver street, land on, taken for, sale of certain	*1896	411	
Upland park, Dorchester, lay out of certain land ad-			
joining, new plan for	*1897	167	
Ward's pond, land abutting on, taking for	1892	371	
wards six and seven, in, construction, loan, etc.	1893	282	
See also PARK COMMISSIONERS, BOARD OF;			
PLAYGROUNDS			

PARKWAYS

See STREETS, boulevards and parkways

PASSENGER ELEVATORS

See ELEVATORS, passenger

PASSAGEWAYS

cleaning of certain, board of health may cause, etc.	1897	185
payment for	1897	185

PATROL WAGONS

rights of way, certain, to have	1889	57
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PAUPER INSTITUTIONS DEPARTMENT

bequests, etc., for, acceptance, etc.	1897	395	8
established	1897	395	1
name changed to Boston infirmary department	1908	393	
trustees, appointment	1897	395	
election commissioners, furnishing to, of names,			1, 2
etc., of certain persons	1913	835	
mayor, conferences with	1897	395	23
not to receive compensation	1897	395	7
organization, etc.	1897	395	2

	Year	Chapter	Section
PAUPER INSTITUTIONS DEPARTMENT — <i>Concluded</i>			
trustees — <i>Concluded</i>			
powers and duties	1897	395	4
private interest in certain contracts forbidden	1897	395	2
qualifications	1897	395	1
title changed	1908	393	
vacancy in, filling	1897	395	2
<i>See also</i> INSTITUTIONS DEPARTMENT; BOSTON INFIRMARY DEPARTMENT			
PAUPER INSTITUTIONS TRUSTEES			
established, etc.	1897	395	
title changed to Boston infirmary trustees	1908	393	
<i>See also</i> PAUPER INSTITUTIONS DEPARTMENT, trustees			
PAUPERS			
<i>See</i> POOR			
PAWN SHOPS			
regulation of	1900	416	
PAWNBROKERS			
act relative to	*1879	102	
PAWNERS' BANK			
directors of, one to be appointed by the mayor	1859	173	
	1876	11	
government of	1859	173	6
	1876	11	
incorporated	1859	173	
name changed to Collateral Loan Company	*1869	428	
PAY ROLLS			
civil service commission, certificate of, on, proceedings			
to obtain	1908	210	3
required	1908	210	
	1909	332	
finance commission, reference of certain, to	1909	486	19
holidays, etc., may be certified as days of employment	1908	587	
information, certain, to contain	1908	210	2
laborers, incapacitated, payment of	1909	332	
oath, to be made under	1908	210	2
vacations, etc., may be certified as days of employment	1908	587	
PENAL INSTITUTIONS			
in general, management of lockups	*1873	175	
	*1881	136	
mental disorders, persons suffering from, confinement in, restricted	1910	307	3
names of persons confined in, transmission to election commissioners	*1900	241	
	1913	835	23
correction, houses of, act relative to	*1834	151	
Deer island, at, buildings, additional, for, construction, etc.	1896	536	9
	1899	347	1
	1900	473	
employees at, placed under civil service	1916(S)	116	
establishment, etc.	1896	536	9
	1899	347	2
house of industry established as	1896	536	9
laws applicable to	1896	536	10
	1899	347	2
prisoners in, classification, etc.	1896	536	11, 12
	1900	473	2
parole of	1896	536	12
revocation	1896	536	13
transfer of certain prisoners to	1899	347	3
	1900	473	1
South Boston, at, discontinued	1896	536	15
	1900	473	1
juvenile offenders, use for, etc.	1825	182	1, 6

	Year	Chapter	Section
PENAL INSTITUTIONS — <i>Continued</i>			
correction, houses of — <i>Concluded</i>			
South Boston — <i>Concluded</i>			
removal of prisoners from	1899	347	3
sale of land and buildings	1900	473	1
.	1896	536	15
.	1899	347	5
.	1900	473	1
Suffolk county, for, act relative to	*1852	113	
certain, established in	1824	28	2
children committed to, transfer of	1825	182	6
Deer island (<i>See, supra</i> , Deer island, at)			
expenses of, payment by city	1824	28	3
master, appointment	1824	28	3
compensation	1824	28	2
powers and duties	1824	28	
name established	1824	28	
overseers, how chosen	1824	28	2
powers and duties	1824	28	2
transferred to Board of Directors for			
Public Institutions	1857	35	1
prisoners in, discharge of, etc.	1824	28	2
support of, remedy of city	1824	28	3
transfer of	1825	182	6
.	*1896	521	11
.	*1896	536	
regulations for	1824	28	2
South Boston, at (<i>See, supra</i> , South Boston, at)			
two or more, establishment of, authorized	1825	182	7
<i>See also</i> INDUSTRY, HOUSE OF			
Deer island, at (<i>See, infra</i> , industry, house of; <i>supra</i> , correction, houses of)			
detention, house of, women, for, establishment, etc.	1887	234	3
matron, assistants, etc., appointment etc.	1887	234	3
pensioning	1917(S)	214	
industry, house of, children, powers of directors as to			
binding out	1826	111	
commitments to	1822	56	3
directors, annual report	1822	56	4
appointments, etc.	*1833	126	
choice	1822	56	7
establishment, etc.	1822	56	1
juvenile offenders, powers as to	1825	182	
may send poor persons, etc., to	1822	56	2
powers and duties	1822	56	
.	1825	182	
.	1826	111	
.	*1833	126	
transferred to Board of Directors for			
Public Institutions	1857	35	1
term of office	1822	56	
employment of persons confined at	*1877	202	
established as the House of Correction at Deer Island	1896	536	9
laws relating to	1822	56	
name changed, etc.	1896	536	9
officers, appointment	*1833	126	
powers	*1833	126	
paupers, powers of directors as to	1826	111	
release on probation from	*1881	34	
removal of prisoners to, from house of correction	*1896	521	
rules and orders for	1822	56	5
superintendent, appointment	*1833	126	
powers	*1833	126	

	Year	Chapter	Section
PENAL INSTITUTIONS — <i>Concluded</i>			
industry, house of — <i>Concluded</i>			
support of poor in, recovery for	1824	28	1
<i>See also</i> CORRECTION, HOUSES OF, Deer Island, at			
juvenile offenders, house for the employment and reformation of (<i>See, infra</i> , reformation, house of)			
reform school, provision for	*1901	359	
<i>See also, infra</i> , Suffolk School for Boys			
reformation, house of, acts relative to	*1843	22	
	*1847	208	
children, may be sentenced to	1825	182	3
directors, appointment, etc.	1825	35	2
powers and duties	1825	35	
transferred to Board of Directors for Public Institutions	1857	35	1
established, etc.	1825	182	1
name changed to Suffolk School for Boys	1906	150	
<i>See also, infra</i> , Suffolk School for Boys			
powers and duties of trustees for children as to	1897	395	3
Suffolk county jail, additions to, provision for	1900	473	3
Suffolk County Reformatory, establishment	1896	536	
provision for, repealed	1899	347	4
Suffolk School for Boys, established	*1901	359	
	1906	150	
disciplinary day school, commitment of certain offenders in, to	1914	738	6
age limit increased	1916(S)	88	1
name established	1906	150	
temporary permits for liberty to boys at	1917(S)	200	
<i>See also</i> INSTITUTIONS DEPARTMENT; JAILS; PENAL INSTITUTIONS COMMISSIONER; PENAL INSTITUTIONS DEPARTMENT; PUBLIC INSTITUTIONS			
PENAL INSTITUTIONS COMMISSIONER			
assistant, appointment	1897	395	5
deputy, appointment, etc.	1928	389	2
election commissioners, furnishing to, of names of certain persons, etc.	1913	835	23
house of correction, construction of certain, by	1899	347	
institutions commissioner, title changed to	1897	395	5
powers and duties	1897	395	5
	1919(S)	222	1
	1928	389	1
to be exercised by head of penal institutions department	1919(S)	222	1
	1928	389	1
title established	1897	395	5
<i>See also</i> INSTITUTIONS COMMISSIONER; INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS; PENAL INSTITUTIONS DEPARTMENT			
PENAL INSTITUTIONS DEPARTMENT			
bequests, etc., for, acceptance, etc.	1897	395	8
commissioner in charge of (<i>See</i> PENAL INSTITUTIONS COMMISSIONER)			
court officer and constable in, powers	1913	372	
house of correction (<i>See</i> CORRECTION, HOUSE OF)			
powers and duties of penal institutions commissioner to be exercised and performed by head of	1919(S)	222	1
	1928	389	1

	Year	Chapter	Section
PENAL INSTITUTIONS DEPARTMENT — <i>Concluded</i>			
reorganization and consolidation, authorized	1919(S)	222	
<i>See also</i> INSTITUTIONS COMMISSIONER; INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS; PENAL INSTITUTIONS COMMISSIONER			
PENALTIES			
alleys, public, placing obstructions in, for	1898	298	3
alms, receiving, without license	1909	538	2
Bird island, for removing stones, etc., without license	1818	4	
births, marriages and deaths, recording of, etc., recovery of penalties in connection with	1892	314	5
Boston Traffic Commission, violations of regulations, for	1929	263	2
bridges, attaching rafts, etc., to, for	1862	73	
building law, violations of, for	1907	550	132
	1913	586	
buildings, hoisting, etc., of merchandise into, etc.	1816	90	4
preservation of health in, violation of regulations, for	1885	383	22
cocoa, roasting without license, for	1817	171	6
conductors of street cars, unlicensed, on	1879	59	
	1897	343	
disciplinary day schools, violation of regulations as to inmates of, for	1914	738	5
disposition of receipts	1881	229	4
drivers of street cars, unlicensed, on	1879	59	
	1897	343	
elevator regulations, violations of, for	1913	714	3
Faneuil Hall market, violation of regulations, for	1921	191	
finance commission, refusal to attend, etc., hearings of, for	1908	562	4
	1909	486	21
fire, violations of certain statutes, etc., relative to	1817	171	
fire department, right of way in streets, obstructing, for	1873	374	1
firewards, violation of orders of, for	1917	171	13
garages, erection, etc., violations of regulations, for	1911	342	4
	1913	577	5
gas fitting, violation of certain statute as to, for	1897	265	11
hackney carriages and hackney stands, violation of regulations as to, for	1930	392	1, 6
health, board of, failure of members, etc., to take oath, for	1885	383	23
regulations, etc.	1816	44	12
	1824	28	4
horses, auction sales of, at certain places, for	1905	426	
hospital regulations, violations of, for	1919(S)	163	8
lamps, street, for injuring	1825	3	
merchandise, hoisting in, etc., for	1816	90	
placing in streets, for	1799	31	
sale, etc., in streets, illegal, for	1907	584	10
	1909	329	
motormen, unlicensed, on	1897	343	
Mystic water works, injuries to, for	1861	108	14
ordinances, violations of, for, payment into city treasury	1881	229	4
parks, violation of rules and regulations, for	1875	185	3
	1898	540	3
patrol wagons and ambulances, obstructing rights of way of, for	1889	57	
pay rolls, etc., when made in violation of statutes	1903	210	4
porters, acting as, without authority, etc.	*1736-37	11	
	1741-42	5	
	*1796	69	
public alleys, for not removing snow, rubbish, etc., from	1898	298	3
placing obstructions, etc., in, for	1898	298	3
recovery of, relative to	1817	50	3-5

	Year	Chapter	Section
PENALTIES — <i>Concluded</i>			
ropewalks, etc., exposing fire in, for	1817	171	11
sewerage works, destruction, etc., for	1897	426	9
sidewalks, violation of certain regulations, for	1799	31	8
sight-seeing automobiles, violation of regulations, for	1931	399	6
stables, exposing fire in, for	1817	171	11
regulations as to, violation of, for	1889	89	2
street cars, conductors, motormen, etc., acting as, with-			
out a license, for	1879	59	
	1897	343	
street lamps, injuring, etc., for	1825	3	2
streets, carrying fire in, for	1817	171	
commercial purposes, illegal use of, for	1907	584	10
	1909	329	
merchandise, hoisting in, etc., for	1816	90	4
placing in, for	1799	31	6
disposal of	1799	31	8
sale in, except, etc.	1907	584	10
	1909	329	
obstructions in, for	1799	31	
projections into, for	1799	31	4
violation of certain statutes as to, for	1799	31	8
	*1809	27	3
tar kettles, not securing, etc.	1817	171	9
water, Lake Cochituate, of, diverting, etc., for	1846	167	15
	*1861	220	
Mystic Pond, of, injuries to water works, for	1861	105	14
water courses, obstructing, etc., for	1897	426	9
water supply, illegally using, etc., for	1846	167	15
	*1861	220	1
weights and measures, violation of provisions as to, for	1817	50	2
wharves, attaching rafts, etc., to, for	1862	73	
hoisting, etc., merchandise into, etc., for	1816	90	4
wires, commissioner of, failure to notify of installation			
of wires, for	1908	339	
PENSIONS			
attendance officers, to	1916(S)	257	
maximum increased	*1919(S)	132	
Boston and Cambridge Bridges Commission, employees			
of, to	1924	89	
Boston Protective Department, employees of, to	1904	233	
	1922	134	
civil war veterans (<i>See, infra</i> , veterans of civil war in			
city service)			
craftsmen in city service, for (<i>See, supra</i> , laborers in			
city service, for)			
drawtenders, etc., to	1920	179	
fire department, general provisions as to	1880	107	
	1888	174	
	1891	404	
	1892	347	
	1913	800	
	1914	519	
assistant superintendent, eligible for	1914	519	
call men, certain former, to	*1912	574	
chief operator, eligible for	1914	519	
construction force of fire alarm service, eligible for,	1914	519	
disability, members pensioned on account of,			
restoration to service, when	1920	60	
	1928	257	
operators and assistant operators, eligible for	1914	519	
superintendent of, eligible for	1914	519	
foremen, mechanics, etc., to	*1920	179	
Hyde Park, policemen and firemen formerly in employ			
of, rights as to	1913	770	

	Year	Chapter	Section
PENSIONS — <i>Concluded</i>			
inspectors, etc., in city employ	*1920	179	
laborers in city service, to	1911	413	
	*1919(S)	55	
disability provisions	1914	765	
	1915(S)	63	
maximum established	1913	367	2
term "laborers" defined for purposes of	1913	367	1
matrons of the house of detention, to	1917(S)	214	
mechanics in city service, for (<i>See, supra</i> , laborers in city service, to)			
police department, acts no longer law	1878	244	5
	*1879	97	
	*1883	14	
	*1900	306	
	*1903	312	
amounts of pensions	1887	178	1
	1892	353	2
	1893	51	
civil war veterans, exempt from certain provisions	1892	353	1
	1920	6	
provisions as to	1898	172	
disability, for	1887	178	1
	1892	353	
	1930	387	
officers retired on account of, annual medical examination of	1929	3	
restoration to service, when	1929	3	
Hyde Park, members formerly in service of, rights as to	1913	770	
request of member, upon	1892	353	
	1930	353	
scope of acts relative to, restricted	1930	387	3
signal service, for	1904	402	
superannuation, for	1892	353	
	1920	6	
	1930	387	
temporary service by pensioned members, provision for	1892	353	4
<i>See also</i> RETIREMENT SYSTEM			
school janitors, to	1916(S)	257	
basis for	1917(S)	146	
maximum increased	*1919(S)	132	
school teachers, to (<i>See</i> SCHOOL TEACHERS, retirement of)			
storekeepers, etc., in city employ, to	*1920	179	
veterans of civil war in city service, pensioning of certain	1911	113	
school janitors, basis for	1913	313	
scope of act widened	1912	395	
<i>See also</i> RETIREMENT SYSTEM			
PEOPLES' FERRY COMPANY			
boats formerly owned by, power to run	*1868	353	
incorporated	*1853	422	
PERKINS STREET			
grade crossing on, abolition	*1900	471	
PERMANENT SCHOOL PENSION FUND			
<i>See</i> SCHOOL PENSION FUND			
PERMITS			
<i>See</i> LICENSES AND PERMITS			
PETERBOROUGH STREET			
land at junction of Audubon road and, sale, authorized	*1898	141	
PHYSICAL EDUCATION			
school committee, powers and duties as to, enlarged	1907	295	1, 2
	1934	145	1
PHYSICIAN, CITY			
incapacitated laborers, certificate as to	1909	332	

	Year	Chapter	Section
PICNIC GROVES			
licensing of	*1885	309	
	1906	291	4
	1915(S)	313	
PIERPONT, ROBERT			
taxes, collection of certain, by	*1769-70	3	
PIERS			
<i>See</i> WHARVES			
PINE ISLAND			
water pipes to, city may lay, etc.	*1869	447	
PLANNING BOARD			
chairman, building heights, commission on, member of			
certain, to be	1915(S)	333	1
official thoroughfare plan, establishment, etc., powers			
and duties as to	1930	168	
zoning adjustment, board of, member ex officio of	1924	488	20
zoning map prepared by, provisions as to	1924	488	2, 17
PLAYGROUNDS			
in general, comprehensive system of, purchase of land			
for, regulated	*1898	412	
taking of land for, regulated	1899	279	
control, etc., of certain	1903	331	2
lands for, taking, etc., borrowing for, authorized	1892	293	
	1931	15	
physical training, etc., use of, for	1907	295	2
school athletics, use for	1907	295	2
Commonwealth, provision for	1891	421	
<i>See also</i> COMMONWEALTH PLAYGROUND			
Dorchester district, transfer of certain land in, to park			
department for purposes of	1924	70	
Eagle Hill, use for school purposes	1923	308	
Mission Hill, transfer of portion, to library department	1930	357	
ward five, in, establishment, etc., loan	*1911	435	
wards six and seven, in, construction, etc., loan	1893	282	
Washington street, certain lands on, taken for, sale	*1901	187	
William Amerena, use for school purposes	1923	308	
<i>See also</i> PARKS			
PLEASANT STREET			
nuisance on certain land adjoining, etc., abatement of			
certain	*1868	277	
	*1871	108	
street railway location on, provision for	*1911	591	
	*1916(S)	153	
	*1917(S)	186	
subway under, construction	1893	478	2
widening, etc., loan	*1911	591	
	1917(S)	111	
betterments for	*1911	591	
	*1916(S)	153	
revision of, time extended	*1918(S)	155	
PLUMBERS			
registration of	1907	550	113
PLUMBING LAWS			
<i>See</i> BUILDING LAW, plumbing			
POLES			
<i>See</i> WIRES AND ELECTRICAL APPLIANCES			
POLICE			
administration of, acts relative to	1853	354	
	1854	448	33
	1878	244	
	1885	323	
	1906	291	7-21
board of (<i>See</i> POLICE, BOARD OF)			
commissioner (<i>See</i> POLICE COMMISSIONER)			
commissioners (<i>See</i> POLICE COMMISSIONERS,			
BOARD OF)			

	Year	Chapter	Section
POLICE — <i>Concluded</i>			
department (<i>See</i> POLICE DEPARTMENT)			
early acts relative to	*1761-62	5	
	*1801	26	
	*1833	62	
	*1834	139	
headquarters (<i>See</i> POLICE HEADQUARTERS)			
officers (<i>See</i> POLICE OFFICERS)			
railroad, appointment, terms, powers, etc.	1898	282	
retirement of (<i>See</i> POLICE DEPARTMENT, pension- ing of members of; RETIREMENT SYSTEM)			
signal system (<i>See</i> POLICE SIGNAL SYSTEM)			
superintendent of (<i>See</i> POLICE, SUPERINTEND- ENT OF)			
<i>See also</i> WATCH DEPARTMENT			
POLICE, BOARD OF			
annual, etc., reports	1885	323	7
annuities to widows, etc., of certain deceased members, powers and duties as to	1887	178	2
board of health, officers for exclusive service of, may detail	1889	450	7
	1911	287	
clerk, salary established	*1897	320	
election days, appointment of special police officers on, establishment, etc.	1889	423	
	1885	323	1
Faneuil Hall market, police for, to have charge of	1895	449	26
fees received for dog licenses, disposition	*1904	353	
harbor master, and assistants, appointment, etc., by	1889	147	1
house of detention, women, for, establishment, etc., by	1887	234	3
junk collectors, etc., may license	1900	416	
legal assistance, may employ	*1889	419	
additional expenditure for	*1894	266	
park police, to have charge of	1895	449	26
pensioning of members of police department, powers and duties as to	1887	178	1
	1892	353	
	1893	51	
	1898	172	
police signal system, establishment, etc.	1887	325	
expenditures for	1887	325	2
	1888	402	
extension of	1888	402	
powers and duties	1885	323	2
	1895	449	26
	1898	282	
	1900	416	
transferred to police commissioner and licensing board	1906	291	4, 10
rules and regulations of, to continue in force	1906	291	12
salaries of members	1885	323	4
	*1904	353	
special police officers, appointment, etc., by	1898	282	
superseded by police commissioner	1906	291	
temporary service by pensioned policemen, authorized to call for	1892	353	4
voters, listing and registration of, powers and duties as to, transferred to a listing board	1906	291	18
	*1907	387	
water board police, to have charge of	1895	449	26
POLICE COMMISSIONER			
absence, disability, etc., of, proceedings in case of	1906	291	11
acting police commissioner, designation	1906	291	11
alms, receiving, in public places, licensing of	1909	538	
annual report	1906	291	14
appointment, etc.	1906	291	7

	Year	Chapter	Section
POLICE COMMISSIONER — <i>Continued</i>			
board of health, officers for exclusive service of, may	1889	450	7
detail	1911	287	
board of police, certain powers and duties of, conferred upon	1906	291	10
Boston Traffic Commission, associate commissioner of, to be	1929	263	1
building law, effect on powers of	1907	550	10
buildings and property used by police department, control, by	1906	291	8
clerical assistance, etc.	1906	291	8
civil service, placed under	1934	86	
days off for members of police force, powers and duties as to	1907	513	
deputy superintendents, appointment, etc.	1909	311	
employees, clerks, etc.	1906	291	8
civil service, placed under	1934	86	
expenses of, payment	1906	291	8
hackney carriages and hackney stands, regulation and limitation, powers and duties as to	1930	392	
.	1933	306	
.	1934	280	
hawkers and peddlers, duties relative to	1907	584	9
streets for use of, designation by	1907	584	9
house of detention, matrons of, pensioning, duties as to, indemnification of police officers for certain expenses or damages, duties as to	1917(S)	214	
intoxicating liquors, licenses to sell, suspension by, during period of disorder	1933	324	
violation of conditions of, powers and duties as to	1906	291	19
.	1906	291	15, 16
.	1917(S)	145	
legal assistance, employment	1906	291	9
increased expenditure for	1920	13	
licensees, fitness of, information to licensing board as to, licenses, applications for, to sell merchandise in streets, duties as to	1906	291	17
.	1907	584	3
issued by, revocation, suspension, etc.	1909	221	
signing and recording	1906	291	10
licensing board to certify certain information to	1906	291	6
listing board, member of, to be	1906	291	18
.	1917(G)	29	7
listing of voters, duties as to	1917(G)	29	8, 11
.	1921	114	1, 4
may take further time for	1917(G)	29	8
.	1921	114	1
persons not previously listed, verification of statements, duties as to	1917(G)	29	11
medical examination, annual, of certain police officers retired on account of disability, duties as to	1929	3	
merchandise, applications for licenses to sell in streets, duties	1907	584	3
office accommodations for	1906	291	8
organization, etc., of the police by	1906	291	10
patrolmen, number of, powers as to	1906	291	13
pensioning of members of police department, powers and duties as to	1920	6	
.	1930	387	
police officers' salaries, powers as to	1906	291	13
powers and duties, in general	1906	291	7-21
board of police, of, certain, conferred upon	1906	291	10, 12
.	1909	221	
records of, inspection	1906	291	14

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POLICE COMMISSIONER — <i>Concluded</i>			
relief from duty at certain times of members of police force, powers and duties as to	1907	513	
removal	1906	291	7
revocation, etc., of licenses, powers as to	1909	221	
salaries of offices, etc., under control of, reductions in, powers and duties as to	1933	121	
salary	1906	291	8
increased	1917(S)	307	
secretary, appointment, duties, term, etc.	1906	291	7
salary	1906	291	8
	1920	8	
sidewalks, certain, within market limits, may allow occupation of	1908	519	
sight-seeing automobiles, licensing, etc., powers and duties as to	1931	399	
	1933	93	
street commissioners, reports to, relative to applications for licenses to sell merchandise in streets	1907	584	3
streets, applications for licenses to sell merchandise in, duties as to	1907	584	3
superintendent of police, salary of, may fix	1906	291	13
	1920	7	
term of office	1906	291	7
theatrical exhibitions, shows and amusements, suspension and revocation of licenses for, powers and duties as to	1915(S)	348	
	1936	340	
trial board, appointment, etc., by	1906	291	10
complaints, certain, reference to, etc.	1906	291	10
vacancy in office of, filling	1906	291	7
women, appointment as police officers by	1920	211	
POLICE COMMISSIONERS, BOARD OF			
established, etc.	1878	244	1
innholders and common victuallers, licensing of, certain powers as to, transferred to	1879	38	1
powers and duties	1878	244	2-4, 7, 9
transferred to board of police	1885	323	2
street cars, conductors, motormen, etc., to license, etc.	1879	59	
	1880	99	
	1897	343	
street railways, laws relating to, certain, duty of enforcement	1879	59	
	1897	343	
superseded by board of police	1885	323	
POLICE DEPARTMENT			
accommodations for, city to provide	1906	291	8
administration of, acts relative to	1853	354	
	1854	448	33
	1878	244	
	1885	323	
	1906	291	7-21
annuities to widows, etc., of certain deceased members of, provision for, amount, etc.	1887	178	2
	1919(S)	93	
	1920	68	
appointment, etc., to, residence qualification	1935	153	
<i>See also, infra</i> , establishment, organization, etc.			
buildings for (See POLICE HEADQUARTERS; POLICE STATIONS)			
chief of, powers and duties	1853	354	2
succeeded by superintendent of police	1878	244	4
consolidation with watch department, authorized	1853	354	1
days off for members of, provision for	1907	513	

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POLICE DEPARTMENT — <i>Continued</i>			
deputy superintendents of, appointment, etc.	1909	311	
establishment, organization, etc.	1853	354	
	1878	244	2
	1885	323	2
	1906	291	10
harbor master, and assistants, to be appointed from . . .	1889	147	1
headquarters for (<i>See</i> POLICE HEADQUARTERS)			
Hyde Park, formerly in service of, membership in . . .	1911	469	11
pension rights	1913	770	
indemnification of, members for certain expenses or damages	1933	324	
persons required to assist members, for damages, etc. . .	1933	324	
lowering in rank or compensation of members, provisions as to	1923	242	3
mayor may assume command of, in case of riot, etc. . .	1878	244	8
	1885	323	6
medical examination, annual, of certain police officers retired on account of disability	1929	3	
members, annuities to widows, etc., of certain deceased, provision for, amount, etc.	1887	178	2
	1919(S)	93	
	1920	68	
assist, persons required to, indemnification, etc.	1933	324	
days off for	1907	513	
Hyde Park, formerly in service of	1911	469	11
pension rights	1913	770	
indemnification for certain expenses or damages	1933	324	
lowering in rank, removal, etc., of, provisions relative to	1923	242	3
pensioning of (<i>See, infra</i> , pensioning of members of)			
present force, of, to remain in office	1906	291	12
salaries regulated	1906	291	13
<i>See also</i> POLICE OFFICERS			
mental disorders, persons suffering from, arrested by, duties as to	1910	307	
organization, etc. (<i>See, supra</i> , establishment, organization, etc.)			
patrol wagons and ambulances of, rights of way, certain, to have	1889	57	
penalty for obstructing	1889	57	
patrolmen, number of, not to be increased, unless . . .	1906	291	13
pensioning of members of, acts no longer law	1878	244	5
	*1879	97	
	*1883	14	
	*1900	306	
	*1903	312	
amounts of pensions	1887	168	1
	1892	353	2
	1893	51	
at own request	1892	353	
	1930	353	
civil war veterans, exempt from certain provisions . . .	1892	353	1
	1898	172	
pensions to	1898	172	
disability, for	1887	178	1
	1892	353	
	1930	387	
officers retired on account of, annual medical examination of	1929	3	
restoration to service, when	1929	3	
Hyde Park, members formerly in service of, pension rights	1913	770	
scope of acts relative to, restricted	1930	387	3
signal service, in	1904	402	

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POLICE DEPARTMENT — <i>Concluded</i>			
pensioning of members of — <i>Concluded</i>			
superannuation, for	1892	353	
	1920	6	
	1930	387	
temporary service by pensioned members, provi- sion for	1892	353	4
<i>See also</i> RETIREMENT SYSTEM			
persons required to assist members of, indemnification, for certain expenses or damages	1933	324	
police commissioner (<i>See</i> POLICE COMMISSIONER)			
police officers in (<i>See</i> POLICE OFFICERS)			
powers and duties of officers and men in	1838	123	
	1853	354	
	1878	244	2
	1885	323	4
	1906	291	3
private ways, rights of officers upon	1912	240	12
railroad police, appointment, etc.	1898	282	
relief association of (<i>See</i> BOSTON POLICE RELIEF ASSOCIATION)			
removals, suspensions and transfers in, provisions as to	1923	242	
reserve police force, abolished	*1919(S)	23	3
established	*1887	177	
present members to continue in office	1906	291	
residence qualification for appointment to	1935	153	12
retirement of members of (<i>See, supra</i> , pensioning of members of)			
rights of way in streets, etc., of officers and men of	1889	57	
riot, emergency, etc., mayor, powers in case of	1878	244	
	1885	323	8
salaries of members, regulated	1906	291	6
signal service of, pensioning of members	1904	402	13
special police officers, appointment, terms, powers, etc., election days, appointment on	1898	282	
superintendent of police (<i>See</i> POLICE, SUPERIN- TENDENT of)	1889	423	
temporary service by pensioned members of, provision for	1892	353	
tenure of office of certain members	1923	242	4
trial board, appointment, composition, duties, etc.	1906	291	3
complaints, certain, reference to, etc.	1906	291	10
watch department united with	1853	354	10
women, appointment as members	1920	211	1
<i>See also</i> POLICE OFFICERS			
POLICE HEADQUARTERS			
building for, acquisition of land and construction of certain, loan	*1923	289	
construction, etc., of certain	*1901	528	
<i>See also</i> POLICE STATIONS			
POLICE OFFICERS			
alms, persons receiving, arrest of certain, without a warrant	1909	538	
annuities to widows, etc., of certain deceased, provision for, amount, etc.	1887	178	
	1919(S)	93	2
	1920	68	
appointment, etc., general provisions	1838	123	
	1853	354	
	1878	244	
	1885	323	
	1906	291	
residence qualifications	1935	153	10-13
ballots, ballot boxes, etc., custody of, to have	1895	449	
civil service protection	1923	242	7
days off for	1907	513	3

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POLICE OFFICERS — <i>Concluded</i>			
health, board of, officers for exclusive service of, detail- ing of	1889 1911	450 287	7
Hyde Park, formerly in service of, membership in Boston police department	1911 1913	469 770	11
retirement rights, to have	1913	770	
indemnification of, etc., for certain expenses and dam- ages	1933	324	
listing of voters, duties as to	1917(G) 1921	29 114	8 1
lowering in rank or compensation, entitled to public hearing in cases of	1923 1923	242 242	3 3
provisions as to	1923	242	3
pensioned on account of disability, annual medical examination of certain	1929	3	
restoration to duty, when	1929	3	
pensioning of (<i>See</i> POLICE DEPARTMENT, pension- ing of members of)			
persons required to assist, indemnification, etc.	1933	324	
powers and duties in general	1838 1853 1878 1885 1906 1906 1912 1898	123 354 244 323 291 291 240 282	2 4 3 12 12
present, to remain in office	1906	291	12
private ways, rights upon	1912	240	
railroad police, appointment, term, powers, etc.	1898	282	
removals, suspensions and transfers of, entitled to public hearing	1923 1923	242 242	3 3
provisions as to	*1919(S)	23	
reserve officers, offices abolished	1906	291	12
present members to continue in office	1935	153	
residence requirement for appointment as right of way in streets, etc., to have	1889 1906	57 291	13
salaries of, regulated	1898	282	
special officers, appointment, term, powers, etc.	1889	423	
election days, appointment on	1907 1909	584 329	10
streets, illegal use of, for sale of merchandise, arrest without a warrant, when	1923 1923 1920	242 242 211	3 3
tenure of office of certain	1923	242	
transfers, etc., of, provisions as to	1923	242	
women, appointment as	1920	211	
<i>See also</i> POLICE COMMISSIONER; POLICE DE- PARTMENT			
POLICE RELIEF ASSOCIATION			
<i>See</i> BOSTON POLICE RELIEF ASSOCIATION			
POLICE SIGNAL SERVICE			
pensioning of members	1904	402	
POLICE SIGNAL SYSTEM			
establishment, etc.	1887	325	
expenditures for, authorized	1887 1888 1888 1887	325 402 402 325	3
extension of	1888	402	
wires and fixtures for, attachment to posts, etc.	1887	325	
POLICE STATIONS			
construction of certain	*1901 *1913 *1913	528 263 263	
Court square, on, sale, authorized	*1911	169	
East Boston district, taking of land for court house and, authorized	*1911	169	
use for, of certain land acquired but not needed for tunnel purposes	1931	30	
financial adjustments in connection with	1932	23	
<i>See also</i> POLICE HEADQUARTERS			

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POLICE, SUPERINTENDENT OF			
absence of police commissioner, to act in	1906	291	11
appointment, etc.	1878	244	4
	1885	323	2
	1906	291	10
days off for members of police force, powers and duties			
as to	1907	513	
deputy superintendents, appointment, etc.	1909	311	
powers and duties	1878	244	4
	1906	291	11
relief from duty at certain times of members of police			
force, powers and duties as to	1907	513	
salary	1906	291	13
	1920	7	
POLICEMEN			
See POLICE DEPARTMENT; POLICE OFFICERS			
POLITICAL COMMITTEES			
acts relative to	*1895	489	
	*1895	502	
election of	1909	486	34
POLL TAXES			
See TAXES, poll taxes			
POND AVENUE			
Brookline authorized to lay, etc., sewer in	1887	331	
POOL OR SIPPION TABLES			
licensing of	1906	291	4
	1907	214	
	1915(S)	313	
POOR			
act providing for the	1735-36	4	
See also OVERSEERS OF THE POOR, ETC.			
Charlestown, in, Poor's Fund, control, etc., of	1825	40	
	1868	301	
	1873	286	12
employment, etc., provision for	1735-36	4	
finances for certain violations of statutes relating to streets,			
to go to	1799	31	8
house of industry, may be sent to	1822	56	2
recovery for support of, in	1824	28	1
John Boylston's Charitable Donations, Trustees of,			
incorporated for benefit, etc., of	1802	44	1
powers	1802	44	2-5
	1813	171	
	1868	276	
pauper institutions trustees, powers as to	1897	395	4
See also PAUPER INSTITUTIONS DEPARTMENT, trustees			
temporary relief of, appropriations for	*1874	374	
POOR, OVERSEERS OF THE			
See OVERSEERS OF THE POOR IN THE CITY OF BOSTON, THE; OVERSEERS OF THE POOR OF THE TOWN OF BOSTON, THE			
PORT AUTHORITY			
See BOSTON PORT AUTHORITY			
PORT OF BOSTON			
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directors, Belle Isle Inlet, bridge over, construction,			
duties as to	1913	412	
Granite avenue bridge, reconstruction, powers and			
duties as to	1913	771	2
duties of Boston Port Authority as to	1929	229	2
harbor master of (See HARBOR MASTER)			
term defined for certain purposes	1929	229	2

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PORTER STREET			
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PORTERS			
funeral, appointment, etc.	1816	44	8
regulated	*1736-37	11	
	1741-42	5	
	*1796	69	
POST OFFICE			
United States, cession of jurisdiction over additional land for	*1868	323	
	*1871	82	
POWDER HOUSES			
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	*1715-16	12	
	*1719-20	3	
	*1732-33	9	
	*1780	14	{ 2nd Ses- sion }
<i>See also</i> GUNPOWDER			
POWDER MAGAZINES			
erection of certain	*1771-72	9	
PRENTISS STREET			
abatement of nuisance in area adjoining	*1872	312	
PRESCOTT STREET			
grade crossing on, alteration	*1899	390	
PRIMARIES			
<i>See</i> ELECTIONS, primaries			
PRINCE SCHOOL			
land for, sale to city	*1873	207	
PRINTING PLANT			
use of certain lands for	1931	30	
financial adjustments in connection with	1932	23	
vacations for employees	1916(S)	129	
PRINTING, SUPERINTENDENT OF			
lists of officials and employees, publication, duties as to	1909	486	27
	1919(S)	168	
PRISON POINT BAY			
flats in, filling, etc.	*1878	197	
	*1881	238	
	*1883	144	
PRISON POINT BRIDGE			
corporation to build	*1806	4	
draw in, widening	*1869	311	
	*1870	300	
	*1870	401	
PRISON POINT STREET			
grade crossing on, abolition	*1899	421	
	*1900	193	
PRISONERS			
classification, etc., at house of correction	1900	473	2
public institutions, in, transfer of	*1858	112	
removal of, from South Boston to Deer Island	1900	473	1
suffering from contagious diseases, may be removed to Rainsford Island	1816	44	10
<i>See also</i> PENAL INSTITUTIONS			
PRIVATE WAYS			
filth, rubbish, etc., removal from, authorized	1912	240	
naming of	*1868	199	
paving, etc., of, board of health may order	*1894	119	
police officers, rights of, upon	1912	240	
PROBATE, REGISTER OF			
expenses, etc., estimates of, to furnish mayor and auditor	1909	271	
	1910	373	
PROBATE, REGISTRY OF			
accommodation for	1886	122	

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PROBATION			
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PROBATION OFFICERS			
appointment of	*1880	129	
additional	*1881	118	
PROCESS	*1882	125	
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	*1869	247	
PRODUCE			
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PROJECTIONS IN PUBLIC WAYS			
regulated	1799	31	
	*1895	352	
	1907	550	13
	1909	486	28
	*1913	680	
PROMENADE			
Charles river, over, construction, etc.	*1881	197	
PROPERTY			
city council may purchase	1854	448	39
owned by city, annual statement of	1854	448	51
care and custody of	1854	448	39
leased for business purposes, taxation of	1922	390	
taking of (<i>See</i> LANDS, taking of)			
PROTECTIVE DEPARTMENT			
<i>See</i> BOSTON PROTECTIVE DEPARTMENT			
PROVIDENCE DIVISION			
<i>See</i> OLD COLONY RAILROAD, Providence division			
PROVIDENCE RAILROAD			
railroad from, to South Bay, construction	*1847	250	
PROVINCE			
loan to Boston	*1757-58	4	
	*1760-61	12	
PROVINCIAL STATE HOUSE			
restoration and maintenance	1907	385	
	1910	298	
PROVISIONS			
sale of (<i>See</i> MARKETS)			
PROVISIONS, INSPECTORS OF			
offices abolished and powers and duties transferred to			
health inspectors	1895	449	19
designation retained	1896	250	
PUBLIC ALLEYS			
defects in, city not liable for	1898	298	2
laying out, construction, etc.	1898	298	1
	*1902	521	
	1906	393	
	1913	536	
assessments	1906	393	
	1913	536	
obstructions in, penalty for placing	1898	298	3
snow, removal from	1898	298	2
substances, certain, removal from	1898	298	2
term defined	1906	393	1
	1913	536	1
	1917(S)	318	
<i>See also</i> STREETS			
PUBLIC BUILDINGS			
care and custody of	1854	448	39
construction, alterations, etc., provisions as to	*1852	266	
	1895	449	22
	1896	293	
	1909	486	8, 30

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PUBLIC BUILDINGS — <i>Concluded</i>			
safety appliances in, regulated	*1876	69	
	*1884	223	
	*1888	86	
<i>See also</i> BUILDING LAW; MUNICIPAL BUILDINGS; SCHOOL BUILDINGS			
PUBLIC BUILDINGS, SUPERINTENDENT OF			
employees, civil service laws extended to certain	1920	314	
police station house, erection, etc., by	*1913	263	
powers and duties	1895	449	22
	1896	293	
PUBLIC GARDEN			
Boylston street subway, construction, as affecting	1913	810	3
city hall, not unlawful to erect on	1859	210	3
erection of buildings on, restricted	1859	210	3
public urinals, establishment in, authorized	1876	65	
restrictions on	1859	210	3, 4
PUBLIC GYMNASIA			
establishment, etc.	1897	221	
PUBLIC HALLS			
<i>See</i> BUILDING LAW, public assembly, places of; THEATRES AND PUBLIC HALLS			
PUBLIC HEALTH			
<i>See</i> HEALTH			
PUBLIC HEALTH, STATE COMMISSIONER OF			
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PUBLIC INSTITUTIONS			
in general, board of directors for (<i>See</i> PUBLIC INSTITUTIONS, BOARD OF DIRECTORS FOR			
children confined in, care, control, etc., of certain	1897	395	3
control, etc., of	1857	35	
	1889	245	
	1895	449	14
	1897	395	
	1897	451	
	1919(S)	222	
inmates, names of, to be furnished to election commissioners	*1900	241	
	*1901	441	
	1913	835	23
land takings for	*1883	51	
prisoners in, removal of	*1858	112	
releases from certain, provisions as to	1895	449	16
specific institutions (<i>See</i> under names of specific institutions)			
<i>See also</i> INSTITUTIONS COMMISSIONER; INSTITUTIONS DEPARTMENT; PENAL INSTITUTIONS COMMISSIONER			
PUBLIC INSTITUTIONS, BOARD OF DIRECTORS FOR			
election, terms, etc.	1857	35	1, 4
established	1857	35	
insane persons, powers as to	1857	35	2
powers and duties	1857	35	1, 2
	*1881	34	
transferred to commissioners of public institutions	1889	245	2
<i>See also</i> PUBLIC INSTITUTIONS; PUBLIC INSTITUTIONS, COMMISSIONERS OF; INSTITUTIONS COMMISSIONER			
PUBLIC INSTITUTIONS, COMMISSIONERS OF			
appointment, terms, etc.	1889	245	1
established	1889	245	
offices and board abolished	1895	449	14

	Year	Chapter	Section
PUBLIC INSTITUTIONS, COMMISSIONERS OF — <i>Concluded</i>			
powers and duties	1889	245	2
transferred to institutions commissioner	1895	449	15, 16
<i>See also</i> INSTITUTIONS COMMISSIONER			
PUBLIC INSTITUTIONS DEPARTMENT			
abolished	1895	449	14
<i>See also</i> INSTITUTIONS DEPARTMENT			
PUBLIC LANDS, STATE COMMISSIONERS ON			
Berkeley street, conveyance of portion, to city	1873	350	
drainage of Back Bay, may modify agreements, etc., as to	1862 Res. 1866	96 68	
Prince School, land for, conveyance to city by	1873	207	
PUBLIC LIBRARY			
<i>See</i> LIBRARY			
PUBLIC LIBRARY OF THE CITY OF BOSTON, TRUSTEES OF THE			
incorporated	1878	114	1
<i>See also</i> LIBRARY, trustees			
PUBLIC LODGING HOUSES			
<i>See</i> TENEMENT AND LODGING HOUSES			
PUBLIC MARKET			
establishment, etc.	*1696	2	
<i>See also</i> MARKETS			
PUBLIC PARKS			
<i>See</i> PARKS			
PUBLIC PROPERTY			
<i>See</i> PROPERTY; PUBLIC BUILDINGS			
PUBLIC SAFETY			
watch established to secure	*1761-62 *1834	5 139	
<i>See also</i> POLICE; POLICE DEPARTMENT			
PUBLIC SCHOOLS			
<i>See</i> SCHOOL BUILDINGS; SCHOOLS			
PUBLIC SCHOOLS, SUPERINTENDENT OF			
<i>See</i> SCHOOLS, SUPERINTENDENT OF			
PUBLIC SHOWS			
<i>See</i> THEATRICAL EXHIBITIONS, SHOWS AND AMUSEMENTS			
PUBLIC URINALS			
establishment, authorized	1876	65	
PUBLIC UTILITIES, STATE DEPARTMENT OF			
commission, Cambridge subway, Charles street station, construction by	1924	444	
sight-seeing automobiles in Boston, regulation, powers and duties as to	1931	399	2, 5-7
PUBLIC WAYS			
boilers not to be maintained under	1907	550	13
building line, establishment on	*1893	462	
coasting on, regulated	1909	486	28
conduits, poles, posts, etc., locations for, regulated	1909	486	28
naming of, regulated	1880 1884 1909	67 278 486	
obstructions, etc., placing in, regulated	1909	486	28
parkways and boulevards, to be connected with	1898	540	28
projections in, under or over, regulated	1799 *1895 1907 1909	31 352 550 486	1 13 28
signs, awnings, etc., in, regulated	*1913	680	
trees, planting, removal, etc., in, regulated	*1913	680	
<i>See also</i> STREETS	1909	486	28

	Year	Chapter	Section
PUBLIC WELFARE			
power to borrow for	*1934	201	
PUBLIC WELFARE, OVERSEERS OF THE			
See OVERSEERS OF THE PUBLIC WELFARE IN THE CITY OF BOSTON			
PUBLIC WORKS, COMMISSIONER OF			
Boston Traffic Commission, associate commissioner of, to be	1929	263	1
high pressure fire service, construction, duties as to	1911	312	
	1916(S)	175	
sewerage works, construction, etc., expenditures for, powers and duties as to	1930	178	1
transit commission, powers and duties of, to be exercised by, etc.	1918(S)	185	
PUBLIC WORKS DEPARTMENT			
Boston Consolidated Gas Company, lease of certain property to, powers and duties as to	1937	292	3, 4
commissioner (See PUBLIC WORKS, COMMISSIONER OF)			
Dedham and Hyde Park Gas and Electric Light Com- pany, certain property of, acquisition, etc., powers and duties as to	1937	292	
Sumner tunnel, operation by	1929	297	9-13
	1932	287	3-5
	1935	312	
	1935	74	
	1935	455	2-4
	1937	93	
PUBLIC WORKS PROGRAM			
authorized under provisions of National Industrial Recovery Act	1933	366	
	*1934	21	
	1935	404	
	1936	83	
PUBLIC WORKS PROJECTS			
See EMERGENCY PUBLIC WORKS PROJECTS			
PULLIN POINT			
Chelsea, made part of	*1738-39	17	
PURCHASE STREET			
lay out, etc.	*1760-61	32	
PURCHASING OF MATERIALS, ETC.			
contracts for (See CONTRACTS)			
Q			
QUARANTINE			
board of health may establish	1816	44	6
physicians, etc., for, appointment	1816	44	6
QUAYS			
exempt from building law	1907	550	10
QUINCY			
annexation of portion, to Boston	*1893	336	
Dorchester bay, highway along shore of, construction, etc., in	*1928	259	
land owned by Boston in, adjustment of taxes on	*1915(S)	280	8
sale of certain, authorized	*1895	101	
	*1915(S)	280	2
sewerage, draining through Boston sewers, authorized	*1928	240	
sewers, construction, etc., authorized	1876	136	1
	1879	230	
water pipes across, laying, etc., authorized	1889	74	
R			
RADIO TOWERS			
exempt from certain building requirements	1924	335	4
RAFTS			
mooring, etc., to bridges or wharves, regulated	1862	73	

	Year	Chapter	Section
RAILROAD POLICE			
appointment, term, powers, etc.	1898	282	
RAILROADS			
in general, land of, taking by Boston Elevated Railway Company	1894	548	22
lease, etc., of Boston Elevated Railway Company, by	1894 1897	548 500	17 11
locations, etc., of, crossing by elevated railway, regulated	1897	500	7
not to be laid out over parks, except, etc.	1875	185	13
stations, exempt from building law	1907	550	10
	1931	250	1
temporary, construction of certain	*1848 *1853 *1855	37 342 20	
Boston & Albany Railroad Company (<i>See</i> BOSTON & ALBANY RAILROAD COMPANY)			
Boston and Chelsea Railroad Company, incorporated and city authorized to purchase	*1854	445	
Boston & Maine Railroad, land of, not to be taken for certain purpose	1906	520	22
Boston & Providence Railroad Company (<i>See</i> BOSTON & PROVIDENCE RAILROAD COMPANY)			
Boston, Revere Beach & Lynn Railroad Company, location in East Boston, changed	*1875	214	
Boston Terminal Company, agreements relative to Cove Street bridge, validated	*1902 *1904 *1921	141 266 143	
bond issue	*1896	516	
incorporated	*1849	201	
Eastern Railroad Company, extension	*1875	214	
location in East Boston changed	*1869	56	
Fort Hill to Atlantic avenue, construction of tracks, etc.	*1867	170	
Marginal Freight Railway Company, incorporated	*1869	56	
New England Railroad Company (<i>See</i> NEW ENGLAND RAILROAD COMPANY)			
New York, New Haven & Hartford (<i>See</i> NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY)			
Old Colony Railroad Company, Providence division, change of location, etc.	*1893	126	
Providence railroad, from, to South Bay, construction of certain	*1847	250	
South station, assessment of damages, time for filing petition extended	*1899	386	
construction	*1896	516	
loans in connection with	*1898	248	
authority to issue, revoked	*1915(S)	94	
Troy and Greenfield Railroad Company, capital stock, etc., city may buy, etc.	*1860	184	
Union Freight Railroad Company (<i>See</i> UNION FREIGHT RAILROAD COMPANY)			
<i>See also</i> ELEVATED RAILWAYS			
RAILWAY TROLLEY WIRES			
certain acts for removal, etc., of wires, not to apply to	1894 1931	454 101	9 3
<i>See also</i> WIRES AND ELECTRICAL APPLIANCES			
RAINSFORD ISLAND			
hospital on, regulated	*1738-39 *1743-44 *1749-50 *1756-57 *1757-58	8 19 6 33 13	

	Year	Chapter	Section
RAINSFORD ISLAND — <i>Concluded</i>			
hospital on, regulated (<i>Concluded</i>)	1816	44	
	*1839	79	
	*1840	88	
	*1841	96	
persons confined at, employment of	*1877	202	
RAPID TRANSIT			
See BOSTON ELEVATED RAILWAY COMPANY; BOSTON TRANSIT COMMISSION; ELEVATED RAILWAYS; SUBWAY COMMISSIONERS; SUBWAYS AND TUNNELS; TRANSIT DEPART- MENT			
RAPID TRANSIT COMMISSION			
dissolved	*1892	424	
established	*1891	365	
RATES			
collection of, facilitated	*1763-64	18	
See also TAXES			
RANDIDGE TRUST FUND			
city may receive	1896	216	
excursions for children	1896	216	
income of, use	1896	216	
REAL ESTATE			
owned by city and leased for business purposes, taxa- tion of	1922	390	
purchase of, members of city government not to be interested in	1909	486	8
sidewalk assessments on tax-exempt, suspension, au- thorized	1913	155	
See also LANDS			
REBELLION, WAR OF			
See CIVIL WAR			
RECALL			
mayor, of	1909	486	46
	1914	730	2
provision repealed	1918(S)	94	2
REFORM SCHOOL			
established	*1901	359	
REFORMATION, HOUSE OF			
acts relative to	*1843	22	
	*1847	208	
children may be sentenced to	1825	182	3
directors, appointment, etc.	1825	35	2
powers and duties	1825	35	
transferred to board of directors for public institutions	1857	35	1
established	1825	182	1
name changed to Suffolk School for Boys	1906	150	
See also SUFFOLK SCHOOL FOR BOYS			
powers and duties of trustees for children as to	1897	395	3
See also REFORM SCHOOL; SUFFOLK SCHOOL FOR BOYS			
REFUSE			
contracts for collection, etc., regulated	1909	486	6
private ways, on, removal	1912	240	
tenement houses, disposal from, regulated	1885	382	12
	1907	550	75
	1913	586	1, 3
REGISTRAR, CITY			
appointment	1892	314	1
assistant registrar, appointment by	1892	314	2
certificates, etc., of, to have same force and effect, duties	1892	314	2
births, marriages and deaths, certificates of, to bear seal, books, papers, etc., of departments, may be placed in charge of	1898	389	
	1892	314	4

	Year	Chapter	Section
REGISTRAR, CITY — <i>Concluded</i>			
fees due persons making returns, payment by, etc.	1892	314	2
funds received by, may make certain payments from	1892	314	2
accounts of, transmission to city auditor	1892	314	2
official seal	1898	389	
certificates to bear	1898	389	
powers and duties	1892	314	
	1898	389	
REGISTRAR OF INSTITUTIONS			
<i>See</i> INSTITUTIONS REGISTRAR			
REGISTRARS OF VOTERS			
assistant registrars, appointment, etc.	*1889	337	
appointment, etc.	1913	835	80
civil service, office placed under	1920	305	
registration of voters, duties as to	1913	835	84
offices of, abolished	1895	449	3
REGISTRARS OF VOTERS, BOARD OF			
abolished	1895	449	3
established	*1874	60	
powers and duties transferred to election commissioners	1895	449	4
<i>See</i> ELECTIONS, voters, registration			
REGISTRY DEPARTMENT			
<i>See</i> REGISTRAR, CITY			
REMOVALS			
mayor, by	1854	448	49
	1885	266	1
	1890	418	1
	1909	486	13, 14
RESERVE FUND			
transfers to current appropriations from	1909	486	3
RESERVE POLICE FORCE			
abolished	*1919(S)	23	
appointment, etc.	*1887	177	
RESERVED CHANNEL			
bridge across, construction, etc.	*1891	388	
	*1892	12	
RESERVOIRS			
Brookline, sale of certain, to	*1903	310	
Chestnut Hill, construction, etc.	*1865	131	
construction, etc.	1846	167	1
	1861	105	1
	*1871	185	
	*1881	129	
Fisher hill, taking by metropolitan water and sewerage board	*1912	694	
Parker hill, at, construction, etc.	*1873	287	
<i>See also</i> WATER			
RESOLUTIONS			
approval or rejection of	1909	486	4
RETIREMENT			
board (<i>See</i> RETIREMENT SYSTEM, retirement board)			
Boston Retirement System (<i>See</i> RETIREMENT SYSTEM)			
employees, of (<i>See</i> RETIREMENT SYSTEM)			
fire department, members of (<i>See</i> PENSIONS, fire department)			
laborers in city employ (<i>See</i> PENSIONS, laborers in city service, to)			
municipal system (<i>See</i> RETIREMENT SYSTEM)			
police department, members of (<i>See</i> PENSIONS, police department)			
school teachers, of (<i>See</i> SCHOOL PENSION FUND; SCHOOL TEACHERS, retirement of; TEACHERS' RETIREMENT FUND)			

	Year	Chapter	Section
RETIREMENT SYSTEM			
in general, actuarial investigations, etc.	1922	521	20
annual medical examination of certain persons			
retired for disability	1922	521	19
assets and liabilities, valuation of	1922	521	20
Boston and Cambridge Bridges Commission, so called, employees of, membership in, etc.	1924	89	
charges upon city, retired members becoming, maintenance out of allowances under	1925	152	
cost of administering	1922	521	4
court enforcement of provisions of	1922	521	28
court officers, certain, excepted from membership in	1926	390	
date of establishment and name	1922	521	3
death of member while employee, payment in case of	1922	521	16
definitions of terms	1922	521	2
	1923	381	3
	1925	18	
	1926	390	1
	1937	409	5
department heads, etc., admission of certain, to membership in	1924	251	4
excepted from certain compulsory provisions	1924	251	2
elected officers, certain, excepted from membership in	1926	390	
employees, demotion, discharge, etc., certain rights as to, not affected	1922	521	31
<i>See also, infra</i> , membership in, employees			
hazardous occupations, incapacity or death occasioned by, payments for	1937	163	
judiciary, members of, excepted from certain compulsory provisions	1922	521	9
excepted from membership in	1937	409	5
resignation of certain, from membership in	1937	409	6
maintenance, etc., of retired members becoming charges upon city out of retirement allowances	1925	152	
mortality, etc., tables, provisions as to	1922	521	20
officials and public officers, status of certain, established relative to membership in	1926	390	
pensioners not to be paid for services to city, etc., except	1922	521	27
purpose of act, etc.	1922	521	1
qualifications for membership in (<i>See, infra</i> , membership in)			
resignation or discharge of employee, payment in case of	1922	521	16
restoration to service, provisions as to	1922	521	19
rules and regulations as to	1922	521	21
school janitors, regular compensation, determination for purposes of	1922	521	30
	1923	284	
school teachers, date of retirement	1922	521	9
membership in, or in state teachers' retirement association, election by certain, authorized	1923	381	4, 5
services to city or county, pensioners not to be paid for, except	1922	521	27
workmen's compensation law, offset of amounts paid, etc., under	1922	521	26
	1925	152	
accidental death benefits, granting of	1922	521	15
	1937	163	2
hazardous occupation, in cases of, provisions as to	1937	163	2

	Year	Chapter	Section
RETIREMENT SYSTEM — <i>Continued</i>			
accidental disability (<i>See, infra</i> , disability, retirement for, accidental)			
actuary, duties of	1922	521	20
provision for	1922	521	4
annuities and pensions payable under (<i>See, infra</i> , retirement allowances under)			
contributions by city	1922	521	6
	1924	251	1
	1933	243	
accumulated liability contributions	1922	521	6
	1933	243	
estimate of amounts necessary	1922	521	24
how to be obtained	1922	521	25
normal contribution	1922	521	6
	1924	251	1
offset of amounts paid, etc., by city under workmen's compensation law	1922	521	26
	1925	152	
death benefits, accidental (<i>See, supra</i> , accidental death benefits)			
disability, retirement for, in general, annual examination of certain persons retired	1922	521	19
cessation of disability, proceedings upon	1922	521	19
accidental disability	1922	521	13
	1937	163	1
allowances upon	1922	521	14
hazardous occupation, due to, provision as to	1937	163	1
ordinary disability	1922	521	11
allowances upon	1922	521	12
employees, eligibility for membership (<i>See, infra</i> , membership in)			
funds, in general, amounts to be paid by city, estimate	1922	521	24
how obtained	1922	521	25
deficiency, payment	1922	521	8
excess earnings, use	1922	521	8
interest on, regulated	1922	521	8
investment of	1922	521	8
taxation, attachment, etc., exempt from	1922	521	23
valuation of assets and liabilities	1922	521	20
annuity savings, creation, etc.	1922	521	6
payments from	1922	521	7
pension accumulation, contributions by city to	1922	521	6
	1924	251	1
	1933	243	
creation, etc.	1922	521	6
	1924	251	1
	1933	243	
payments from	1922	521	7
retirement reserve, creation, etc.	1922	521	6
payments from	1922	521	7
medical board, annual examination of certain persons			
retired for disability, duties as to	1922	521	19
appointment, terms, etc.	1922	521	18
compensation	1922	521	18
police, department, pensioning of certain members			
of, duties as to	1930	387	
officers, disabled, annual examination of certain	1929	3	
powers and duties in general	1922	521	18, 19
membership in, all persons becoming employees after February 1, 1923	1922	521	5
Boston and Cambridge Bridges Commission, so called, employees of	1924	89	

RETIREMENT SYSTEM — *Continued*membership in — *Concluded*

	Year	Chapter	Section
cessation due to resignation, discharge, etc., pay- ment in case of	1922	521	16
court officers certain, excepted from	1926	390	
department heads, etc., admission of certain	1924	251	4
elected officers, certain, excepted from	1926	390	
employees, all persons becoming, subsequent to February 1, 1923	1922	521	5
covered by other pension or retirement laws, election as to	1922	521	5
	1925	90	3
death of, payment in case of	1922	521	16
eligibility for, provisions as to	1922	521	5
not covered by other pension or retirement laws, provisions as to	1922	521	5
not members, services of certain, to terminate at age of seventy	1922	521	5
not originally desiring to join, admission of certain	1925	90	
resignation or discharge, cessation due to, pay- ment in case of	1922	521	16
term defined for purposes of	1922	521	2
	1923	381	3
	1925	18	
	1926	390	1
	1937	409	5
judiciary, certain members of, excepted from	1937	409	5
resignation from	1937	409	6
length of service, etc., of certain members, estima- tion of	1922	521	29
officials or public officers, status of certain, estab- lished as to	1926	390	
qualifications for (<i>See, supra</i> , employees, term de- fined for purposes of)			
school teachers, election by certain, between mem- bership in state teachers' retirement system and	1923	381	4, 5
provisions as to	1922	521	2
	1923	381	3-5
vocational schools, in, provisions as to	1922	521	2
	1923	381	3-5
<i>See also</i> SCHOOL TEACHERS, retirement of			
old age, retirement for (<i>See, infra</i> , superannuation, re- tirement for)			
ordinary disability (<i>See, supra</i> , disability, retirement for)			
pensions and annuities payable under (<i>See, infra</i> , re- tirement allowances under)			
retirement allowances under, cessation of, in case disa- bility ceases	1922	521	19
charges upon city, retired members becoming, maintenance, etc., out of	1925	152	
disability, upon retirement for	1922	521	12, 14
lesser allowances for life, in lieu of, election to receive	1922	521	17
minimum allowances, provision for certain	1923	426	
optional provisions in case of election of lesser allowances, for life	1922	521	17
payable monthly	1922	521	22
superannuation, upon retirement for	1922	521	10
	1923	426	
	1924	251	3
taxation, attachment, etc., exempt from	1922	521	23
retirement board, accidental death benefits, granting by	1922	521	15
	1937	163	2

	Year	Chapter	Section
RETIREMENT SYSTEM — <i>Concluded</i>			
retirement board — <i>Concluded</i>			
amounts to be paid by city, estimate by	1922	521	24
annual examination of certain persons retired for			
disability, duties as to	1922	521	19
report	1922	521	20
budget, submission to mayor	1922	521	4
clerical assistance, etc.	1922	521	4
compensation	1922	521	4
data, collection, etc., of certain	1922	521	20
disability, retirement for, duties as to	1922	521	11, 13
.	1937	163	1
establishment, membership, terms, etc.	1922	521	4
funds, certain, powers and duties as to	1922	521	6, 8
length of service, etc., of certain members, estima-			
tion of	1922	521	29
medical board, powers as to	1922	521	18
mortality, etc., tables, adoption by	1922	521	20
rates of contribution payable by city, certifi-			
cation by	1922	521	20
rules and regulations, making by	1922	521	21
superannuation, retirement for, sixty, at age of,			
duties as to	1922	521	9
superannuation, retirement for, allowances upon	1922	521	10
.	1923	426	
.	1924	251	3
minimum, established	1923	426	
seventy, at age of	1922	521	9
.	1924	251	2
department heads, etc., excepted from	1924	251	2
judiciary, members of, excepted from	1922	521	9
school teachers, date of retirement	1922	521	9
sixty, at age of	1922	521	9
police force, special provisions as to members			
of	1922	521	9
request of department heads, upon	1922	521	9
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ment of			
REVENUE ANTICIPATION LOANS			
general provisions of law made applicable to	1934	11	2
renewal of	1934	11	2
validation of certain	1934	11	3
REVERE			
county purposes, not to be taxed for	1909	490	52
RICHMOND STREET			
laying out, confirmed	*1864	123	
RIOTS, DISTURBANCES, ETC.			
liquor licenses, suspension during	1906	291	19
mayor may assume control of police department in			
case of	1885	323	6
RIVER STREET			
widening, etc., loan	*1925	323	
.	1926	260	
RIVER STREET BRIDGE			
draw in, widening	*1888	230	
RIVER STREET-BRIGHTON STREET BRIDGE			
approaches, relative to	1921	497	3
.	1931	423	
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.	1931	423	
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approaches	1921	497	3
cost, apportionment	1921	497	5
.	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4

	Year	Chapter	Section
RIVER STREET-BRIGHTON STREET BRIDGE —			
<i>Concluded</i>			
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cost — <i>Concluded</i>			
maximum	1921	497	4
state notes to meet	1926	329	3
terms of	1921	497	4
damages, how determined	1921	501	
how paid	1921	497	12
plans, specifications, etc.	1921	497	4
RIVERBANK SUBWAY			1
construction	*1907	573	
bonds issued for, disposition of proceeds	*1910	579	
provisions for, repealed	1911	741	8
	1911	741	8
ROCKS			
blasting of, regulated	*1868	201	
provisions repealed	*1892	264	
	*1911	402	
ROPEWALKS			
fire, penalty for exposing, in	1817	171	11
ROXBURY CANAL			
dredging of	1879	98	3
assessments for cost of	1879	98	
nuisance in, abatement	*1877	217	
sewerage discharged into, temporary diversion of	1879	98	1
storm overflow into, construction, etc.	1879	98	2
water pipes across, city may lay, etc.	*1869	447	
ROXBURY, CITY OF			
annexed to Boston	1867	359	
portion annexed	*1850	281	
boundary between Boston and, changed	1859	210	1, 2
established	*1860	172	
public cemetery in, relative to	*1846	95	
water supply, relative to	*1848	79	
<i>See also</i> ROXBURY DISTRICT; ROXBURY, TOWN	*1867	343	
OF			
ROXBURY DISTRICT			
established	1867	359	
Mission Hill playground in, transfer of portion of to	1930	357	
library department			
Parker hill in, transfer of certain land on, to park de-	1931	40	
partment	*1869	448	
streets in, laying out, etc.			
Warren cemetery in, taking for school purposes, val-	*1927	78	
idated			
ROXBURY LATIN SCHOOL			
appropriations for support of	*1869	166	
ROXBURY, TOWN OF			
boundary between Boston and, established	*1786	87	
.	*1836	37	
.	*1837	202	
.	*1844	58	
Brookline, part of, annexed to	*1758-59	39	
highway in, payment for paving of, lottery by	*1760-61	15	
.	*1836	167	
Newton, part of, annexed to			
<i>See also</i> ROXBURY, CITY OF; ROXBURY DIS-			
TRICT			
RUBBISH			
<i>See</i> REFUSE			
RUGGLES STREET			
abatement of nuisance in area adjoining	*1872	312	
RUMNEY MARSH			
Chelsea, made part of	*1738-39	17	

	Year	Chapter	Section
RUTHERFORD AVENUE			
grade crossing on, abolition	*1900	471	
height of buildings on, regulated	*1912	529	
widening	1907	416	
	*1898	275	
S			
SAFETY AND GOOD ORDER			
watch established to secure	*1761-62	5	
	*1801	26	
	*1833	62	
ST. ANN STREET			
reconstruction of portion, loan	1929	248	
ST. JAMES AVENUE			
height of buildings on, between Clarendon and Dart-			
mouth streets	1898	452	
	*1929	286	
	1929	338	
SAINT PAUL STREET			
surface drain, laying, etc., on certain state land on .	1916(S)	328	
SALARIES, MUNICIPAL			
annual increments, etc., of, reinstated	*1934	228	
reductions in	1933	121	
partial restoration of	*1934	289	
specific (See under titles of specific officers)			
SALES			
auction, at	*1773-74	10	
bark, of	*1796	67	
coal, of	*1796	67	
cordwood, of	*1758-59	16	
	*1772-73	8	
firewood, of	*1796	67	
fireworks, of	*1853	154	
hay, of	*1709-10	6	
streets, in, (See STREETS, in general, merchandise)			
SANITARY PURPOSES			
land taking for, in Dorchester	1903	411	
See also HEALTH			
SARATOGA STREET			
grade crossing on, alteration	*1899	390	
SAVIN HILL BAY			
sewer loan	*1929	239	
SCAVENGERS			
appointment	1816	44	8
SCHOOL ATTENDANCE OFFICERS			
See SCHOOLS, in general, attendance officers			
SCHOOL BUILDINGS			
administration building, acquisition of site for, con-			
struction, etc.	*1909	446	
	*1914	331	
	1916(S)	267	3
Mason street property, disposition	1916(S)	267	4
	1919(S)	206	8
building laws, certain, exempt from	*1898	228	
	*1898	284	
	1907	550	10
	1915(S)	352	2
exemption removed	1931	250	1
construction, alteration, furnishing, etc., of	1875	241	6
	*1889	297	
	*1899	362	
	1901	473	
	1929	351	2-6

	Year	Chapter	Section
SCHOOL BUILDINGS — <i>Concluded</i>			
construction, alteration, furnishing, etc., of — <i>Concluded</i>			
appropriations for, regulated	1936	224	2(a) (b)
board of, commissioners of school buildings, powers and duties as to	1929	351	7
schoolhouse commissioners, powers and duties as to	1901	473	2
transferred to superintendent of construction	1929	351	3
plans for, approval of, etc.	1929	351	8
requisition for, requirements as to	1929	351	8
superintendent, of construction, powers and duties as to	1929	351	3, 8
of schools, powers and duties as to	1929	351	8
educational and recreative activities, conducting in, authorized	1912	195	
admission fees authorized	1916(S)	86	
engineers, janitors, etc., having charge of steam boilers in, civil service, placed under	*1889	352	
fire protection, improvements in	*1908	524	
lands for, taking of, regulated	*1897	202	
	*1897	299	
	1901	473	2
	1929	351	8
loans for construction of certain	*1890	255	
	*1890	405	
	*1895	408	
	*1897	442	
	*1898	149	
	*1901	288	
	1901	473	3, 4
	*1902	386	
	*1905	392	
	*1907	450	
	*1930	313	
	*1931	247	
permits for erection of, requirement as to	1915(S)	352	2
sale of, regulated	1906	259	1, 2
proceeds of, disposition	1906	259	3
	1919(S)	206	7
SCHOOL BUILDINGS, BOARD OF COMMISSIONERS OF			
appointment, terms, etc.	1929	351	1
budgets and appropriation orders, certain proposed, submission to, by school committee, report on, etc.	1929	351	7
construction, alteration, etc., of school buildings, powers and duties as to	1929	351	7
construction, superintendent of, construction, alteration, etc., of school buildings, powers and duties as to	1929	351	3, 8
deputy superintendents, approval by	1929	351	4
	1930	259	
	1929	351	2
election by, salary, etc.			
salaries of officers and positions under, reductions in, powers and duties as to	1933	121	
<i>See also</i> SCHOOL BUILDINGS, DEPARTMENT OF, construction, superintendent of			
establishment, membership, etc.	1929	351	1
expenditures, certain, appropriations for	1929	351	1
members to serve without pay	1929	351	1
powers and duties	1929	351	7
not to be infringed	1934	227	
salaries of officers and positions under, reduction in, powers and duties as to	1933	121	
vacancy in, filling of	1929	351	1

	Year	Chapter	Section
SCHOOL BUILDINGS, DEPARTMENT OF			
construction, superintendent of, deputy superintend-	1929	351	4
ents, appointment, duties, salaries, etc.,	1930	259	
election	1929	351	2
powers and duties	1929	351	2-4, 8
reports, etc.	1929	351	2
salary	1929	351	2
to be in charge of	1929	351	2
establishment	1929	351	2
powers and duties, not to be infringed	1934	227	
SCHOOL COMMITTEE			
acting business manager, election, etc.	1932	231	
additional appropriations for school purposes, powers			
as to	1936	224	2
administration building, provision for, duties as to	*1914	331	
	1916(S)	267	3, 4
	1919(S)	206	8
agricultural school, independent, establishment, etc., by	1913	337	
appropriations by, acts no longer law	*1898	400	
	*1901	448	
	*1903	170	
	*1906	205	
	*1909	388	
	*1911	708	
	*1913	615	
	*1915(S)	300	
	*1915(S)	372	
	1916(S)	267	
	*1918(S)	132	
	1919(S)	206	1
	*1919(S)	249	
	*1920	524	
	*1920	641	
	*1923	488	
	*1925	309	
	*1925	327	
	*1926	153	
	*1926	314	
	1928	382	1
	*1929	256	
	*1930	283	
	*1930	313	
	*1931	155	
	*1931	247	
	1934	145	2
	*1935	284	
administration building, for	*1914	331	1
	1916(S)	267	3
alterations, repair, etc., of school buildings, for	1936	224	2(c)
assessors, certification to	1919(S)	206	3
	1936	224	3
athletic wearing apparel, for	*1931	111	
	1934	145	
budgets and appropriate orders, submission of cer-			
tain proposed, to board of commis-			
sioners of school buildings	1929	351	7
construction, etc., of new buildings, for	1936	224	2(a)
disposition of balances	1919(S)	206	4
	1936	224	2
general school purposes, for	1936	224	2(c)
mayor, approval by, except, etc.	1885	266	10
	1919(S)	206	2
	1936	224	3
regulated	1936	224	1-3

	Year	Chapter	Section
SCHOOL COMMITTEE — <i>Continued</i>			
appropriations by — <i>Concluded</i>			
unexpended balances, reappropriation	1919(S)	206	4
	1936	224	2
veto by mayor, overriding of	1919(S)	206	2
	1936	224	3
votes relative to, force and effect	1919	206	2
	1936	224	3
athletic wearing apparel, expenditures for	*1931	111	
	1934	145	
attendance officers, retirement of	1916(S)	257	
maximum pensions	*1919(S)	132	
Boston Normal School (<i>See, infra</i> , normal school)			
budgets and appropriation orders, certain proposed, submission by, to board of commissioners of school buildings	1929	351	7
business manager, acting business manager, provision for	1932	231	
election, etc.	1906	318	1
	1926	140	1
	1932	231	
powers and duties	1906	318	1
	1926	140	1
Charlestown School Trust Fund, management, etc., by	1877	53	3
	1900	235	
	1902	262	
	1906	231	1
city council, members may not become members of			
congresses, conventions, etc., held to consider questions of concern to public schools, appoint- ment of representatives to	1914	274	3, 4
construction, superintendent of, salary, approval by	1929	351	2
corporate name	1877	53	1
continued	1900	235	
courses for the improvement of teachers, authorized to conduct	1915(S)	189	
deaf, education of (<i>See, infra</i> , Horace Mann School for the Deaf)			
Dillaway house, so called, preservation, etc., duties as to	1930	291	
disciplinary day schools, commitments to, regulations as to	1914	738	3
establishment and maintenance by	1914	738	
supervision by	1914	738	3
Dorchester district, transfer of certain school land in, to board of park commissioners	1931	229	
East Boston district, transfer of certain lands in, to, by park department	1923	308	
educational and recreative activities, conduction, on school property by	1912	195	
admission fees permitted	1916(S)	86	
election	1875	241	1, 2
	1905	349	1
	1909	486	33
	1924	479	5
nominations for, number of signatures required	1909	486	53
	1914	730	4
of certain officers by, majority of whole number of members necessary	1875	241	8
	1906	231	2
	1905	349	1
eligibility for membership in			
expenditures by (<i>See, supra</i> , appropriations by)			
final judge of qualifications and elections of its members, to be	1854	448	24
	1875	241	2
free employment office for minors, establishment by, duties, etc.	1913	389	

	Year	Chapter	Section
SCHOOL COMMITTEE — <i>Continued</i>			
Horace Mann School for the Deaf, land granted for use			
of, control, etc., by	1885	201	1
sale of, proceeds, authority as to	1928	339	
incorporated	1877	53	1
corporation continued	1900	235	
janitors, school, appointment, etc., by	1875	241	5
regular compensation, determination by, for retire- ment purposes	1922 1923	521 284	30
retirement of	1916(S)	257	
basis for pensions	1917(S)	146	
maximum pensions	*1919(S)	132	
lands, or buildings used for school purposes, sale, etc.,			
powers as to	1906	259	1, 2
proceeds, disposition	1906	259	3
	1919(S)	206	7
taking of, for school purposes, payment for, powers as to	1929	351	8
Latin School, public, provision for, by	*1919(S)	199	
Mason street, estate on, sale, disposition of proceeds, etc.	*1914	331	
	1916	267	4
	1919(S)	206	8
mayor not to be member of, etc.	1885	266	10
membership, final judge of, to be	1854	448	24
	1875	241	2
provisions amended	*1835	128	
qualifications for	1905	349	1
normal school, degrees, certain, granting by	1922	273	
instruction for teachers in service of city, providing by	1882	136	
men, admission to	1904	212	
to have charge of	1874	167	
nurses, appointment, etc., by	1907	357	
officers, subordinate, provision for	1875	241	4
	1906	318	1
requirement for election	1906	231	2
organization of	1875	241	3
	*1886	33	
	1905	349	1
	1909	486	33
	1924	479	5
date of	1909	486	33
changed	1924	479	5
parental school, establishment, upon request of	*1886	282	
pension fund for school teachers, etc., establishment, etc., by	1908	589	1
	1910	617	1
<i>See also</i> SCHOOL PENSION FUND			
physical education, etc., powers as to, enlarged	1907	295	1, 2
	1934	145	1
playgrounds, powers and duties as to	1907	295	2
powers and duties in general	1875	241	
	1877	53	
	*1889	297	
	1905	349	3
	1931	100	
	1933	121	
not to be abridged	1909	486	5
	1934	227	
proceedings of, publication in "City Record"	1909	486	29
public school property, use for social, civic, etc., pur- poses, regulation by	1912	195	
	1916(S)	86	

	Year	Chapter	Section
<i>SCHOOL COMMITTEE — Continued</i>			
qualifications for membership in	1905	349	1
final judge of, to be	1854	448	24
	1875	241	2
quorum	1875	241	4
	1906	318	2, 3
reorganization	1875	241	
	*1889	297	
	1905	349	
	1906	318	
salaries of teachers and other officials and employees, reductions in	1933	121	
school buildings, board of commissioners of, member of, appointment by	1929	351	1
submission to, of certain proposed budgets and appropriation orders	1929	351	7
construction, alteration, etc., powers and duties as to	1875	241	6
	*1889	297	
	*1899	362	
transferred to board of schoolhouse commissioners	1901	473	82
submission of proposed budgets, etc., for, to board of commissioners of school buildings	1929	351	7
of certain, powers as to	*1890	355	
	*1895	408	
	1896	293	
taking of lands for, payment for, powers as to	1929	351	8
school pension fund, establishment, etc., by	1908	589	1
	1910	617	1
trustees, board of, one member, election by	1908	589	2
<i>See also SCHOOL PENSION FUND</i>			
schools, supervision and direction by	1875	241	5
superintendent and assistant superintendents of schools, election, fixing of duties, compensation, etc., of	1906	231	1, 2
	1914	489	1
members ineligible for office of	1906	231	1
secret organizations of school pupils, regulation by	1909	120	
secretary, election, etc., by	1875	241	4
	1906	318	1
trustees of school pension fund, to be secretary of	1908	589	3
Teachers College of the City of Boston, The, degree of Master of Education, granting at, by	1926	16	
powers and duties as to	1924	142	
teachers, courses for improvement of, conduction by	1915(S)	187	
election, discharge, etc., by	1875	241	5
retirement of, powers and duties as to (<i>See SCHOOL TEACHERS, retirement of</i>)			
salaries, establishment of, by	1875	241	5
teachers' retirement fund, board of trustees of, member- ship in	1900	237	2
<i>See also TEACHERS' RETIREMENT FUND</i>			
Teachers' Waterston Fund, management, etc.	1900	235	
terms of office, etc.	1875	241	1
	1905	349	1
	1909	486	33
	1924	479	1, 5
trust funds, management, etc., of certain	1877	53	2, 3
	1900	235	
	1902	262	
	1931	100	
vacancies in, filling of	1905	349	1
	1937	366	

	Year	Chapter	Section
SCHOOL COMMITTEE — <i>Concluded</i>			
war memorial buildings, utilization of schoolhouse property for, duties as to	1921	169	
SCHOOL COMMITTEE OF THE CITY OF BOSTON			
corporate name, established	1877	53	1
continued	1900	235	
<i>See also</i> SCHOOL COMMITTEE			
SCHOOL DEPARTMENT			
officials and employees in, salaries, reductions in	1933	121	
annual increments reinstated	*1934	228	
SCHOOL FRATERNITIES, ETC.			
regulated	1909	120	
SCHOOL JANITORS			
appointment, compensation, etc.	1875	241	5
regular compensation, determination, for retirement purposes	1922	521	30
	1923	284	
retirement of	1916(S)	257	
basis for pensions	1917(S)	146	
maximum pensions	*1919(S)	132	
<i>See also</i> RETIREMENT SYSTEM			
steam boilers, janitors in charge of, placed under civil service	*1889	352	
SCHOOL NURSES			
appointment, duties, etc.	1907	357	1
qualifications	1907	357	2
SCHOOL OFFENDERS			
female, committal, etc.	1911	202	
<i>See also</i> TRUANTS			
SCHOOL PENSION FUND			
appropriations for	1908	589	4
	1910	617	2
	1915(S)	304	
	1919(S)	206	1(g), 5
	1928	382	1
	*1931	155	
	1936	224	1, 2
apportionment of payments from, when	1908	589	6
	1910	617	3
	1915(S)	304	1
	1919	206	6
	1928	382	3
care and investment of	1908	589	2, 3
establishment	1908	589	1
	1910	617	1
pensions, payment from, age, on account of	1908	589	7
	1910	617	3
	1919(S)	206	6
apportionment of, when	1908	589	6
	1910	617	3
	1915(S)	304	1
	1919(S)	206	6
	1928	382	3
eligibility for	1908	589	7
	1910	617	3
incapacity, for	1919(S)	206	6
	1908	589	7
	1910	617	3
maximum and minimum	1919(S)	206	6
	1908	589	1, 7
	1910	617	1, 3
	1919(S)	206	6

	Year	Chapter	Section
SCHOOL PENSION FUND — <i>Concluded</i>			
pensions, payment from — <i>Concluded</i>			
re-establishment of certain, of persons already retired	1910	617	3
	1919(S)	206	6
schedule of, establishment	1910	617	3
	1919(S)	206	6
“sixty persons” pension, provisions	1909	537	
	1910	617	4
	1912	569	1
	1917(S)	327	
taxation, exempt from			
thirty years, annual pension rate for teaching, less than	1908	589	7
	1910	617	3
	1919(S)	206	6
more than	1908	589	7
	1910	617	3
	1919(S)	206	6
pro rata payments from, when	1908	589	6
	1910	617	3
	1915(S)	304	1
	1919	206	6
	1928	382	3
taxation, exempt from	1917(S)	327	
trustees, board of, election, composition, etc.	1908	589	2
powers and duties	1908	589	3
vacancy in, filling of	1908	589	2
unexpended interest available for certain pension payments	1910	617	2
	1919(S)	206	5
<i>See also</i> SCHOOL TEACHERS, retirement of			
SCHOOL PROPERTY			
social, civic, etc., purposes, use for	1912	195	
charging of admission fees permitted	1916(S)	86	
war memorial buildings, use for	1921	169	
<i>See also</i> SCHOOL BUILDINGS			
SCHOOL TEACHERS			
annuities to certain (<i>See, infra</i> , retirement of)			
continuation schools, in, retirement provisions	1914	494	
	1920	50	
courses for improvement of, conduction of	1915(S)	189	
election, discharge, etc.	1875	241	5
equal pay for same kind of service	*1923	460	
Hyde Park, town of, in, entitled to certain retirement benefits	1912	569	2
	1882	136	
normal school, instruction of, in			
pensions for (<i>See, infra</i> , retirement of)			
retirement of, age, on account of	1908	589	7
	1910	617	3
	1919(S)	206	6
annuities, eligibility for	1900	237	5-7
	1920	140	1
amount of contribution essential to	1900	237	9
incapacitated teachers, to	1900	237	7
payment to certain	1900	237	6, 7
taxation, exempt from	1917(S)	327	
uniform, to be	1900	237	8
<i>See also</i> TEACHERS' RETIREMENT FUND			
continuation schools, in	1914	494	
	1920	50	
contributory system of (<i>See, supra</i> , annuities; TEACHERS' RETIREMENT FUND)			

SCHOOL TEACHERS — <i>Continued</i>	Year	Chapter	Section
retirement of — <i>Continued</i>			
disposition of sums payable by commonwealth in reimbursement for pensions paid to certain retired teachers	1916(S)	289	
	1924	249	
	1924	251	1
	1928	382	4
Hyde Park, town of, in, entitled to certain benefits	1912	569	2
incapacity, for	1900	237	7
	1908	589	7
	1910	617	3
	1919(S)	206	6
leave of absence, consideration of, in determining length of service for purposes of	1908	589	7
	1910	617	3
	1919(S)	206	6
pensions, age, for	1908	589	7
	1910	617	3
	1919(S)	206	6
pensions, apportionment of, when	1908	589	6
	1910	617	3
	1915(S)	304	1
	1919(S)	206	6
	1928	382	3
disposition of sums payable by commonwealth as reimbursement for certain pensions paid by city	1916(S)	289	
	1924	249	
	1924	251	1
	1928	382	4
eligibility for	1908	589	7
	1910	617	3
	1919(S)	206	6
incapacity, for	1908	589	7
	1910	617	3
	1919(S)	206	6
maximum and minimum	1908	589	1, 7
	1910	617	1, 3
	1919(S)	206	6
permanent school pension fund (<i>See</i> SCHOOL PENSION FUND)			
re-establishment of certain, of persons already retired	1910	617	3
	1919(S)	206	6
schedule of, establishment	1910	617	3
	1919(S)	206	6
“sixty persons” pension provisions	1910	617	4
	1912	569	1
taxation, exempt from	1917(S)	327	
thirty years, annual pension rate for teaching, less than	1908	589	7
	1910	617	3
	1919(S)	206	6
more than	1908	589	7
	1910	617	3
	1919(S)	206	6
<i>See also</i> SCHOOL PENSION FUND			
school pension fund for (<i>See</i> SCHOOL PENSION FUND)			
“sixty persons” pension provisions	1910	617	4
	1912	569	1
state teachers retirement association, membership in, or in Boston retirement system, election by certain, authorized	1923	381	4, 5

	Year	Chapter	Section
SCHOOL TEACHERS — <i>Concluded</i>			
retirement of — <i>Concluded</i>			
teachers employed, after retirement system established, to become members thereof . . .	1922	521	5
See also RETIREMENT SYSTEM			
before retirement system established, election as to joining . . .	1922	521	5
teachers' retirement fund (<i>See</i> TEACHERS' RETIREMENT FUND)			
teaching or supervising staff, etc., term defined for purposes of . . .	1910	617	5
vocational schools, in . . .	1914	494	
	1922	521	2
	1923	381	3-5
See also RETIREMENT SYSTEM; SCHOOL PENSION FUND; TEACHERS' RETIREMENT FUND			
salaries, annual increments, etc., of, reinstated . . .	*1934	228	
establishment, etc.	1875	241	5
reduction of	1933	121	
partial restoration	*1934	289	
trust funds for benefit of, etc., management, etc., by school committee	1877	53	2
	1900	235	
	1902	262	
	1931	100	
vocational schools, in, retirement provisions	1914	494	
	1922	521	2
	1923	381	3-5
SCHOOLHOUSE COMMISSIONERS, BOARD OF			
abolished	1929	351	3
agricultural school, independent, building for, construction, etc.	1913	337	
annual report	1901	473	1
appointment, terms, etc.	1901	473	1
construction, etc., of certain buildings by, authorized	1901	473	4
loans for	1901	473	4
	*1902	386	
disciplinary day schools, establishment, duties as to	1914	738	2
land or buildings used for school purposes, sale, etc., powers and duties as to	1906	259	
powers and duties	1901	473	2, 3
	1906	259	
transferred to and vested in superintendent of construction	1929	351	3
public latin school, construction, etc., duties as to	*1919(S)	199	
salaries	1901	473	1
	1924	380	1
	1927	192	
appropriations for, etc.	1901	473	1
	*1904	376	1
vacancies in, filling of	1901	473	1
war memorial buildings, utilization of schoolhouse property as, duties as to	1921	169	
SCHOOLHOUSE DEPARTMENT			
abolished	1929	351	3
board of schoolhouse commissioners (<i>See</i> SCHOOLHOUSE COMMISSIONERS, BOARD OF)			
employees, reappointment of, with same status and pension rights	1929	351	5, 6
established	1901	473	1
expenditures of, etc., appropriations for, authorized	1901	473	1
	*1904	376	

SCHOOLS

	Year	Chapter	Section
in general, appropriations for (<i>See</i> SCHOOL COM- MITTEE, appropriations by)			
assistant superintendents of (<i>See</i> SCHOOLS, SUPERINTENDENT OF)			
athletic wearing apparel for use in, expenditures for, authorized	*1931 1934	111 145	
athletics in, provisions as to	1907 1934	295 145	
attendance officers, duties as to children placed in disciplinary day schools	1914	738	4, 5
retirement of	1916(S) *1919(S)	257 132	
buildings, lands, etc. (<i>See</i> SCHOOL BUILDINGS; SCHOOL PROPERTY)			
congresses, conventions, etc., relative to public schools, representation of city at	1914	274	3, 4
directors of special study or exercise in, election	1906	231	2
fraternal organizations in, regulated	1909	120	
head masters in certain, election	1906	231	2
janitors in (<i>See</i> SCHOOL JANITORS)			
land or buildings used for (<i>See</i> SCHOOL BUILD- INGS)			
masters in grammar schools, election	1906	231	2
nurses in (<i>See</i> SCHOOL NURSES)			
physical education in, provisions relative to	1907 1934	295 145	1, 2 1
secret organizations in, regulated superintendent of (<i>See</i> SCHOOLS, SUPERIN- TENDENT OF)	1909	120	
supervision and direction of, school committee, by	1875	241	5
teachers and supervising staff in (<i>See</i> SCHOOL TEACHERS)			
trust funds for certain school purposes, manage- ment, etc., by school committee	1877 1900 1902 1931	53 235 262 100	2
agricultural, independent, establishment, etc.	1913	337	
Boston farm school, Thompson's island used for	1834	102	
Boston Normal school (<i>See, infra</i> , normal school)			
Charlestown Free Schools, Trustees of, incorporated	*1792 *1799	83 77	
continuation schools, teachers in, retirement provisions	*1914 *1920	494 50	
deaf, for (<i>See, infra</i> , Horace Mann School for the Deaf)			
disciplinary day schools, attendance at, enforcement	1914	738	5
commitments to	1914	738	3
construction of buildings for	1914	738	2
establishment, etc.	1914	738	
parental school, children confined in, transferred to Suffolk School for Boys, commitment to, of certain offenders in	1914 1916(S)	738 88	7 6
East Boston district, use of certain playgrounds in, for school purposes	1923	308	
Franklin Union (<i>See</i> FRANKLIN UNION)			
Gilbert Stuart school, taking of additional land adjoining	*1898	174	
High School of Commerce, building for	*1909 *1911 *1913	446 540 363	

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SCHOOLS — <i>Concluded</i>			
Horace Mann School for the Deaf, land granted by commonwealth for use of	1885	201	1
reversion of land, when	1885	201	2
	*1888	259	
release by commonwealth of its reversionary interest	1905	467	
	1928	339	
sale of, etc., use of proceeds in case of	1905	467	2
	1928	339	
industrial, establishment, etc.	1900	171	
Franklin Union, to be	1908	569	
Latin school, headmaster, election	1906	231	2
public, provision for	*1919(S)	199	
Mechanic Arts High school, establishment, etc.	1900	171	
normal school, building for	*1899	239	
degrees, granting of certain, at	1922	273	
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men, admission to	1904	212	
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school committee to have charge of	1874	167	
teachers may be taught in	1882	136	
<i>See also</i> TEACHERS COLLEGE OF THE CITY OF BOSTON			
parental school, abolished, etc.	1914	738	7, 8
act affected	1915(S)	34	2
commitments to	*1886	282	
establishment, etc.	*1886	282	
land and buildings of, transfer to hospital depart- ment	1915(S)	34	
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Prince school, sale of land for	*1873	207	
reform school, established	*1901	359	
Roxbury Latin school, appropriations for support of	*1869	166	
Suffolk School for Boys, certain offenders in disciplinary day schools, commitment to	1914	738	6
age limit increased	1916(S)	88	
established	*1901	359	
	1906	150	
temporary permits for liberty from	1917(S)	200	
truants, for (<i>See, supra</i> , parental school)			
vocational schools, teachers in, retirement provisions	1914	494	
	1922	521	2
	1923	381	3-5
	1927	78	
Warren cemetery, taking for purposes of, validated			
SCHOOLS, ASSISTANT SUPERINTENDENTS OF			
<i>See</i> SCHOOLS, SUPERINTENDENT OF, assistant superintendents			
SCHOOLS, BOARD OF SUPERINTENDENTS OF			
establishment, powers, duties, etc.	1906	231	1
SCHOOLS, BOARD OF SUPERVISORS OF			
abolished	1906	231	1, 3
election, etc.	1875	241	7
powers and duties	1875	241	7, 8
transferred to board of superintendents	1906	231	1
SCHOOLS, SUPERINTENDENT OF			
assistant superintendents, certain city officials ineligible for office of	1906	231	1
compensation	1906	231	1
election, terms, etc.	1906	231	1, 2
	1914	489	1
powers and duties	1906	231	1
removal	1906	231	1
vacancies in offices of, filling	1906	231	1
	1914	489	1

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SCHOOLS, SUPERINTENDENT OF — <i>Concluded</i>			
board of superintendents, to preside over	1906	231	1
See also SCHOOLS, BOARD OF SUPERIN-			
TENDENTS OF			
certain city officials ineligible for office of	1906	231	1
compensation	1906	231	1
construction, etc., of school buildings, duties as to	1901	473	5
	1929	351	8
election, terms, etc.	1875	241	7, 8
	1906	231	
	1914	489	1
powers and duties	1906	231	1
removal	1906	231	1
teachers' retirement fund, board of trustees of, member			
of, to be	1900	237	2
vacancy in office of, filling of	1906	231	1
	1914	489	1
SCOLLAY SQUARE STATION			
alterations in	*1924	403	
SCRIP			
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SCRUBWOMEN			
salary reduction act, exempt from	1933	121	7A
widows registering for position of, preference under			
civil service granted to	1923	476	
SEA WALLS			
Charles river basin, in	*1866	167	
	*1866	247	
	*1881	92	
	*1886	65	
	*1886	134	
	*1891	344	
	*1893	435	
	1903	465	
	1906	402	3
harbor, in, construction of certain	*1864	315	
	*1866	167	
SEAL			
city registrar to have official seal	1898	389	
use of, on certificates, etc.	1898	389	
SEALER OF WEIGHTS AND MEASURES			
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SECOND HAND			
articles, collectors and dealers in, regulated	1900	416	
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school pupils, of, regulated	1909	120	
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of town of Boston,			
Bird island, removal of stone, etc., licensing by	1818	4	
constables, appointment, etc., by	1802	7	
contagious diseases, powers, etc., relating to, trans-			
ferred to board of health	1816	44	9
enginemen, appointment by	*1799	88	
	*1803	109	
orders, etc., validation of certain	1816	90	2
porters, appointment, etc., by	*1736-37	11	
	1741-42	5	
	*1796	69	
powers and duties, vested in board of aldermen	1854	448	33
streets, discontinuance, etc., by	1816	90	
laying out, etc., by	1799	31	3
records of, to keep	1816	90	3
vehicles in, may regulate	*1809	27	

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SELECTMEN — <i>Concluded</i>			
of town of Boston — <i>Concluded</i>			
streets — <i>Concluded</i>			
widening, etc., by	1799	31	3
	*1804	73	
tax collectors, appointment, etc., by	*1708-09	6	
of town of Charlestown,			
enginemen, may increase number of	*1799	88	
SEWAGE			
discharge of (<i>See</i> SEWERS)			
SEWER ASSESSMENTS			
(<i>See</i> SEWERS, in general, betterment assessment for)			
SEWERS			
in general, acts relative to	*1841	115	
	*1857	225	
	*1866	229	
	*1885	249	
	*1889	322	
	*1892	402	
	*1902	521	
appropriations for	1897	426	1
	1898	257	1
	1899	450	1
	1903	268	1
	1908	204	2
	1930	178	1
betterment assessments for	*1889	456	
	*1890	346	
	*1892	402	
	*1894	227	
	*1894	256	
	1895	297	
	*1896	359	
	1897	426	7
	1899	450	3
	1906	393	5-8
	1912	371	
	1913	536	3
	1920	74	
	1920	101	
borrowing power for sewerage purposes, reduced	1908	204	
connections of estates with, regulated	*1899	319	
construction, etc.	1895	494	
	1897	426	1
	1898	257	
	1899	450	1
	1903	268	2
	1906	393	
	1913	536	
<i>See also, infra, sewerage works</i>			
land takings for	*1885	249	
loans for (<i>See, infra, sewerage works, construction, loans</i>)			
location, in highways, etc., regulated	1906	393	10
main sewer, construction, etc.	1876	136	
	1879	230	
	1882	256	
	*1885	249	
discharge from, regulated	1882	256	
pumping station, construction, etc.	1876	136	
sewerage works, appropriations for	1897	426	1
	1898	257	1
	1899	450	1
	1903	268	1
	1908	204	2
	1930	178	1

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in general — <i>Concluded</i>			
sewerage works — <i>Concluded</i>			
construction, etc.	1897	426	1
	1898	257	1
	1899	450	1
	1903	268	1, 2
	1930	178	1
betterments for, assessment of	1895	297	
	1897	426	7
	1899	450	3
	1912	371	1
See also, <i>supra</i> , betterment assess-			
ments for			
damages, recovery of	1897	426	5
	1899	450	2
	1913	148	
expenses, payment of	1897	426	6
	1898	257	2
	1899	450	1
	1930	178	1
loans for	1897	426	6
	1898	257	2
	1899	450	4
	*1901	199	
	*1930	304	
	1932	224	
to be included within debt limit	1908	204	1
transfer, etc.	1899	450	4
validation of certain	1899	450	4
	1932	224	2
notice of intention, filing, etc.	1903	268	1
	1930	178	1
street commissioners, powers as to	1897	426	2, 3
superintendent of streets, powers as to	1897	426	4
	1903	268	1, 2
	1906	393	3
injury to, penalty	1897	426	9
land takings for	1897	426	2
maintenance, etc.	1897	426	1
	1898	257	1
	1899	450	1
	1902	526	
term defined	1897	426	1
streams and water courses, taking, diversion, etc.,			
in connection with sewerage construc-			
tion	1873	205	
	1897	426	2, 3
damages, payment	1873	205	
	1897	426	5
	1899	450	2
subway routes, along	1894	548	36
Back Bay, in, construction, etc.	1857	169	
	1859	210	5
	1862 Res.	96	
Beacon street, in, Brookline may use	1876	136	3
construction of certain	1903	465	10
Newton, construction, etc., by	1902	480	1
damages, payment of	1902	480	2
Blue Hill avenue, betterment assessment for, recovery	*1908	309	
Brighton, in, Brookline, construction, etc., by	1889	151	
Newton, construction, etc., by	1877	144	
Brookline, construction by, in Pond avenue and Chest-			
nut street	*1877	331	
use of certain in common	1876	136	
Calf Pasture, discharge of sewage at, prohibited	1882	256	

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Cambridge and Crescent streets, Charlestown, in, Somerville may construct in	*1883	87	
Charles river, Newton authorized to discharge sewage into	*1908	376	
Charles River basin, sewerage works in, board of ap- proval of, relative to	*1908	376	
construction	*1907	485	
	*1908	514	
	*1909	247	
	*1912	348	
	1918(S)	74	
expenditures for, limited	*1911	612	
loans, relative to	*1908	514	
marginal conduits, construction, etc.	1903	465	5
Charles river sewerage system, act relative to	*1897	502	
construction, etc.	*1889	439	
Chestnut street, Brookline authorized to construct, etc., in	1887	331	
Dedham, construction, by, of sewer in Boston	*1931	335	
of certain, in, authorized	1923	312	
	*1931	139	
Dorchester bay, sewage disposal at, prohibited	1882	256	
East Boston, pumping station and outlet for, loan , sewage of, discharge	*1926	259	
Fort Hill, construction, etc., in	1886	217	
Green street and Forest Hills, between, construction, etc.	*1869	94	
Huntington avenue to Charles river, construction, etc., loan for	1903	465	10
	1903	465	10
	1903	465	13
Hyde Park, construction, etc., by	*1896	287	
main sewer, construction, etc.	1876	136	
	1879	230	
	1882	256	
	*1885	249	
pumping station, construction	1876	136	
Moon island sewer, construction, etc.	1876	136	
	1879	230	
	1882	256	
	*1885	249	
discharge of sewage from, regulated	1882	256	
pumping station, construction, etc.	1876	136	
Muddy river, sewers, certain, extension to	1873	260	2
	1876	136	3
Mystic valley, construction, etc., in	*1875	202	
	*1877	11	
	1889	439	
Neponset sewerage system, act relative to	*1897	502	
Newton, Beacon street, construction in, by	1902	480	1
damages, payment of	1902	480	2
Brighton, construction in, by	1877	144	
discharge of sewage through Boston system	1899	89	
Old Harbor in South Boston district, construction in, loan	*1920	393	
Otter and Hereford streets, between, construction	1903	465	10
Pond avenue, Brookline authorized to construct, etc., in	1887	331	
Quincy, use of Boston sewers by	*1928	240	
Roxbury canal, discharge of sewage into	1879	98	
Savin Hill bay, construction in, loan for	*1929	239	
Squantum, sewer across to Moon island, construction, etc.	1879	230	
Stony Brook sewer, extension, loan	*1887	394	
<i>See also</i> STONY BROOK			

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Newton, contracts with, relative to use of	1899	89	
Old Harbor in South Boston, construction, at	1920	393	
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Roxbury canal, discharge into, for	1879	98	2
Stony brook, improvement for purposes of	1874	196	1
<i>See also</i> STONY BROOK			
Tremont street to Charles street, construction	1857 1859	169 210	5
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plumbing laws, duties as to	1907	550	122, 123
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SHAWMUT BRANCH			
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SHELL FISH			
Thompson's island, taking on, regulated	1834 1878	102 78	
SHERBORN			
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SHERIFF			
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SIDEWALKS			
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lien, to constitute	1849 1893 1917(S)	133 437 196	1
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construction, etc., abutters, by	1849	133	
city, by	1893	437	
	1895	494	
	1906	393	3
	1916(S)	269	
	1917(S)	196	
street construction, in connection with	1895	494	
	1906	393	3
<i>See also</i> STREETS, in general, laying out, construction, etc.			
damages caused by construction of, benefits allowed by way of set-off, for	1893	437	2
Faneuil Hall market, use of sidewalks, by certain tenants, regulated	1908	519	
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opening of, etc., deposit to be made in cases of	1910	553	
proceedings upon failure to repair	1910	553	2
fees for, regulated	1910	571	
regulated	1910	553	
paving, regulated	1799	31	1
	*1809	27	
unaccepted streets, in, construction, etc.	1849	133	
assessments for	1849	133	
width and height of, regulated	1799	31	1
	*1833	128	
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	1933	93	
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	1933	93	
renewal of certain	1931	399	7
operation, regulated	*1913	592	
	1931	399	
	1933	93	
penalties for operation in violation of regulations	1931	399	6
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term defined for certain purposes	1931	399	1
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public ways, in, regulated	*1895	352	
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	1909	486	28
	*1913	680	
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	*1926	218	
East Boston tunnel, for, abolition of tolls, as affecting	1915(S)	184	
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establishment of, prohibited	1909	486	26
rapid transit loans exempted	1910	437	
park loan, establishment for certain	1875	185	12
premiums on sale of bonds to be paid into	1898	471	2
	1902	522	1
rapid transit loans, certain, for	1894	548	38
establishment for, authorized	1910	437	

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sewer bonds, appropriations to meet requirements of, etc.	1897	426	1
	1899	450	1
premiums on, disposition	1897	426	1
	1899	450	1
Sumner tunnel, establishment of certain, for	1929	297	8
	1932	287	2
	1935	455	
tunnel and subway loan, establishment for certain .	1902	534	16
water scrip, establishment for	1846	167	11
	*1877	5	
water works, income from, payment into certain . .	1898	427	2
	1914	324	
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borrowing capacity within debt limit, estimates rela- tive to additional amounts, duties as to	1931	225	2
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deposit of city or county money, no member to be officer, director, etc., in bank or trust company	1909	486	26
East Boston tunnel, abolition of tolls, duties as to .	1915(S)	184	
	1915(S)	324	
purchase of city bonds, etc., by, certain requirements dispensed with	1890	418	7
rapid transit bonds, may establish sinking funds for .	1910	437	
to establish sinking fund for certain	1894	548	38
Sumner tunnel, powers and duties as to	1929	297	8
	1932	287	2
	1935	455	
tunnel and subway loan, establishment of sinking fund for certain	1902	534	16
unexpended balances of certain loans, payment over to, by city treasurer	1928	174	
water works, income from, powers and duties as to .	1898	427	
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	1906	291	4
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	*1792	58	
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SOLDIERS' RELIEF COMMISSIONER			
appointment, etc., of	1897	441	1
qualifications	1897	441	1
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	*1899	374	
salary	1897	441	1
statutes applicable to	1897	441	2
SOLDIERS RELIEF DEPARTMENT			
commissioner (<i>See</i> SOLDIERS RELIEF COMMIS- SIONER)			
established	1897	441	
statutes applicable to	1897	441	2
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SOMERVILLE			
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Charlestown may supply water to, lay pipes, etc., in	1861	105	16
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sewer, certain, construction by, in Charlestown district	*1883	87	
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water supply, agreements, certain, relative to, con- firmed	*1886	351	
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Albany street extended across	*1859	21	
harbor lines in, changed	*1891	309	
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	*1898	278	
railroad to, construction	*1847	250	
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	*1874	387	
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	*1892	12	
Commonwealth Flats, so called, in, armory for naval brigade, construction, etc.	*1904	405	
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SOUTH BOSTON DISTRICT — <i>Concluded</i>			
East First street in, extension	*1914	652	
flats in, use of portion, for playground	1891	421	
house of correction, discontinuance	1899	347	3
(1900	473	
sale of land, etc.	1900	473	
L street in, widening, etc.	*1930	264	
	*1931	116	
	*1932	176	
Marine park, betterments assessed for, abatement of			
portion	1893	258	
refunding of certain	*1888	376	
construction, etc.	*1885	360	
enlarged	1887	427	
	*1889	438	
exchange of certain land with commonwealth for			
purposes of	*1928	264	
parkway connecting Franklin Park and, construc-			
tion	1897	394	
Old Harbor in, improvement, loan	*1916(S)	274	
	*1920	393	
Summer street in, widening, etc.	*1930	264	
	*1931	116	
	*1932	176	
wharf between M and O streets in, extended	*1871	273	
SOUTH STATION			
assessment of damages, time for filing petitions extended	*1899	386	
construction, etc.	*1896	516	
loans for	*1898	248	
authority to issue, revoked	*1915(S)	94	
<i>See also</i> BOSTON TERMINAL COMPANY			
SOUTHBOROUGH			
water basin in, agreement as to, validated	*1894	108	
SOUTHERN ARTERY			
construction, etc.	1925	330	
maintenance as public street	1925	330	
SPRING STREET BRIDGE			
between Dedham and Boston, maintenance, etc.	1915(G)	235	4
reconstruction	1915(G)	235	
approaches	1915(G)	235	4
cost, apportionment	1915(G)	235	2
payment	1915(G)	235	2
street railway location on, obligations as to	1915(G)	235	5
SQUANTUM			
sewer to Moon island, construction, etc., in	1876	136	
	1879	230	
STABLES			
acts relative to	*1810	124	
	*1814	73	
	*1814	76	
	*1860	109	
	*1869	369	
	*1878	192	
buildings, use for, building law restrictions	1907	550	13, 117
regulated	1889	89	1
penalty for violation	1897	300	1, 4
fire, penalty for exposing, in	1889	89	2
plumbing in	1817	171	11
	1907	550	117
STANDPIPES, ETC.			
installation in certain buildings required	1923	278	
<i>See also</i> FIRES AND FIRE PREVENTION AND PROTECTION			
STATE AID DEPARTMENT			
officers, etc., of, appointment to other departments	1897	441	3

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STATE AND MILITARY AID			
acts relative to	*1899	374	
	*1919(G)	290	
distribution, provision for	1897	441	
STATE HOUSE			
approaches to, construction, etc.	*1900	382	
	1901	525	
grounds of, improvement	*1900	382	
	1901	525	
	1902	543	
height of buildings in vicinity of, limited	1899	457	1
	1901	525	4
	1902	543	1
damages in connection with, provision for	1899	457	2
	*1901	417	
	1902	543	2
	*1905	224	
payment by commonwealth	*1903	234	
old provincial, restoration and maintenance of	1907	385	
	1910	298	
use of basement for transit purposes	1907	385	
parking on streets near, by members of general court	1934	140	
STATE TEACHERS' RETIREMENT ASSOCIATION			
school teachers, membership in, or in Boston retirement system, election by certain, authorized 1923		381	4, 5
<i>See also</i> SCHOOL TEACHERS, retirement of			
STONY BROOK			
acts relative to	*1868	223	
	*1870	220	
	*1871	340	
	*1887	428	
	*1898	262	
	*1807	485	
Boston Belting Company, rights in, not to be interfered with	1874	196	9
channel, alteration, etc.	1874	196	
	*1887	428	
	*1896	530	
	*1897	378	
	*1899	397	
Charles river, outlet into, construction of	1903	465	10
conduits for, construction of certain	1903	465	10
control of	1874	196	8
improvement of	1874	196	
betterments for, assessment, etc	1874	196	4-7
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payment for	1874	196	4
sewer, extension of, loan for	*1887	394	
sewerage works within watershed of, construction, etc. 1918(S)		74	
<i>See also</i> CHARLES RIVER, sewerage works within watershed of			
STOREKEEPERS			
employed by city, pensioning of	*1920	179	
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East Boston, in, construction	1931	422	
South Boston, in, completion	*1896	453	
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<i>See</i> WATER COURSES			
STREET STANDS			
Faneuil Hall market, in, regulation	1907	584	
	1908	519	
	1909	329	

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STREET STANDS — <i>Concluded</i>			
Faneuil Hall market, in, regulation (<i>concluded</i>)	1921	191	
	1937	90	
<i>See also</i> FANEUIL HALL MARKET			
STREET COMMISSIONERS, BOARD OF			
aldermen, board of, certain powers and duties of, to be exercised by	1870	337	2
	1909	486	28
appointment, etc.	1909	486	9
Atlantic avenue, construction, powers as to	1899	466	
bay windows, etc., public ways, in, licensing by	1909	486	28
betterments, assessment of (<i>See, infra</i> , public improvements, betterments for)			
Boylston street, lay out, etc., of portion	1898	210	
building law, effect on powers of	1907	550	10
Canal street, widening, etc.	1895	440	5
Centre street, reconstructions of portion, by	1929	248	
	1931	2	
chairman, Boston Traffic Commission, associate commissioner of, to be	1929	253	1
Charles street, widening of portion, by	*1929	371	
city hospital, certain land for, taking	1889	336	
city surveyor to furnish surveys and plans for	1870	337	7
clerk, appointment, duties, compensation, etc.	1870	337	5
coal holes and vaults under public ways, regulation by	1909	486	28
coasting, permits for, powers as to	1909	486	28
Columbia road, construction, etc., by	1897	394	
conduits, poles, etc., locations for, in public ways, powers as to	1909	486	28
discontinuance of streets (<i>See, infra</i> , streets laying out, altering, etc., of)			
Dorchester, tide water lands in, taking by	1903	411	
Dorchester avenue, laying out, etc., of portion, by	1897	512	
election, etc.	1870	337	1
electric light poles, conduits, etc., regulation by	1909	486	28
established	1870	337	
explosives and inflammable fluids and compounds, storage, licensing by	1909	486	28
Faneuil Hall market, street stands in, regulation by	1907	584	8
	1908	519	
	1909	329	
	1921	191	
	1937	90	
fees for certain licenses, employees receiving, to give bonds	1907	584	7
payment to collector	1907	584	7
garages, erection and maintenance of, regulation, powers and duties as to	1913	577	
	1914	119	
	1922	316	
	1931	200	
gas pipes, etc., in streets, powers as to	1906	393	2, 3
	1913	536	2
gasoline, oil, etc., storage, powers as to	1909	486	28
Haverhill street, widening, etc., by	1895	440	5
highways, lay out, etc., of, new plans for, by	1898	210	1
land takings, municipal purposes, for, powers as to	1909	486	31
ratification of certain	1914	569	
school purposes, for, provisions relative to	1901	473	2, 3
	1929	351	8
licenses, sale of merchandise in streets, issue, by	1907	584	4
	1908	519	
	1909	329	
	1921	191	
	1937	90	

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STREET COMMISSIONERS, BOARD OF — <i>Continued</i>			
Malden bridge to Everett-Boston line, highway, lay out, etc.	*1900	296	
Marine and Franklin parks, Columbia road, connecting, construction, etc., by	1897	394	
market limits, extension, by	1896	376	
land takings for	1896	376	
sale and storage of merchandise in streets within (<i>See, infra</i> , merchandise, sale of, in streets)			
marquises, public ways, in, licensing by	1909	486	28
merchandise, sale of, in streets, powers and duties as to	1907	584	
	1908	519	
	1909	329	
	1921	191	
	1937	90	
obstructions, etc., in, under or over public ways, powers as to	1909	486	28
official thoroughfare plan, establishment, etc., powers and duties as to	1930	168	
open-air spaces, taking of land for, powers as to	1892	293	
	1931	15	
parks, acquisition of lands for, powers as to	1892	293	3
	1931	15	
plans, etc., for laying out of streets, making of new, by police station house, court square, on, sale by, author- ized	1898	210	1
powers and duties in general	*1913	263	
	1870	337	2, 3
	1872	322	
	*1877	228	
	1895	449	23
	1896	204	
	1906	393	
	1909	486	28, 31
	1913	536	
private ways, opening of, etc., powers as to	1906	393	10
projections in, under or over public ways, powers as to	1909	486	28
public alleys, laying out, etc., by	1898	298	
assessments for	1898	298	
public improvements, assessment of betterments for	1906	393	5, 6
	1913	536	2
reassessment by	1906	393	5, 6
	1913	536	3
release of part of estates from, by	1895	297	
revision of certain, confirmed	*1908	239	
benefits, etc., to estimate	1906	393	2
	1913	536	2
damages, award of	1906	393	2
	1913	536	2
orders for, estimate of, benefit, making, etc.	1906	393	2
	1913	536	2
approval by mayor	1906	393	2
	1913	536	2
recording in registry of deeds	1906	393	2
	1913	536	2
powers and duties as to	1906	393	2
	1913	536	2
qualification of members	1909	486	9
River street, widening, etc., by	1926	260	
St. Ann street, reconstruction of portion, by	1929	248	
salaries of	1870	337	4
	*1879	198	
school buildings, land, certain, taking for	*1895	408	

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STREET COMMISSIONERS, BOARD OF — <i>Concluded</i>			
school purposes, land takings, etc., for, provisions relative to	1901	473	2, 3
	1929	351	8
requirements as to	1929	351	8
sewer assessments, determination by, etc.	1897	426	7
	1899	450	3
	1912	371	
sewerage works, powers as to	1897	426	
	1899	450	3
	1903	268	
	1906	393	
	1913	536	
sidewalks, certain, within market limits, may allow occupation of	1907	584	8
	1908	519	
	1909	329	
	1921	191	
	1937	90	
signs, marquises, bay windows, etc., licensing by	1909	486	28
streams, etc., changes, etc., in, in connection with sewerage works	1873	205	
	1897	426	
cost, payment of	1915(S)	108	
damages, payments	1897	426	5
	1899	450	2
street, stands, licensing of (<i>See, supra</i> , merchandise, sale of, in streets)			
traffic, regulation by	*1908	447	
watering, charges for, powers	1899	366	3
streets, laying out, altering, etc., of, powers and duties as to	1870	337	3
	1872	322	
	1906	393	
	1912	661	
	1913	536	2
<i>See also, supra</i> , public improvements			
location, direction, of, approval by	1906	393	10
merchandise, storage, sale in (<i>See, supra</i> , merchandise, sale of, in streets)			
naming of, powers as to	1880	67	
	1884	278	
	1909	486	28
opening, for public travel, approval of, location, etc.	1906	393	10
trees, planting and removal, in, powers as to	1909	486	28
survey, board of, powers and duties of, transferred to	1895	449	23
	1896	204	
taxes, abatement of, certain powers as to, transferred to terms of office of members	1870	337	2
	1870	337	1
traffic circles, construction of certain, by	*1929	371	
trees in public ways, planting and removal, powers as to	1909	486	28
vacancy in, filling of	1870	337	6
	1909	486	12
vehicles, exclusion from certain streets, powers and duties as to	*1913	432	
water courses, changes, etc., in, in connection with sewerage works	1873	205	
	1897	426	
cost, payment of	1915(S)	108	
damages, payment	1897	426	5
	1899	450	2
West Chester park, extension of, by	*1889	254	

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<i>See</i> STREET COMMISSIONERS, BOARD OF			
STREET RAILWAYS			
Boston Elevated Railway Company, acquisition, etc.,			
by	1894	548	17
	1897	500	11
incorporated	1894	548	1
<i>See also</i> BOSTON ELEVATED RAILWAY COMPANY			
conductors, motormen, etc., licensing of	1879	59	
	1880	99	
	1897	343	
Hyde Park district, in, acquisition by city and operation by Boston Elevated Railway Company	1923	405	
	1925	52	
public operation of	1920	613	
	1920	637	
lease, etc., of, Boston Elevated Railway Company, by	1894	548	17
	1897	500	11
motormen, etc., licensing, etc.	1879	59	
	1880	99	
	1897	343	
obstructions to travel by, enforcement of laws, etc., relative to	1879	59	
	1897	343	
Pleasant street, establishment in, provisions as to	*1911	591	
	*1916(S)	153	
	*1917(S)	186	
street cars, laws relating to operation of, enforcement	1879	59	
	1897	343	
subways and tunnels, locations in, transit commission may grant	1894	548	35
	1896	492	
<i>See also</i> SUBWAYS AND TUNNELS			
tracks, Boylston street, removal from	1894	548	35, 36
	1896	492	
replacement	*1899	398	
removal, etc.	1894	548	35, 36
	1896	492	
	1902	534	14
Tremont street, removal of portion	1894	548	35, 36
	1896	492	
replacement	*1899	398	
Union Freight Railroad Company, may use	1872	342	4
Washington street on, removal of portion	1902	534	14
wires, placing in streets, regulated	1894	454	2
<i>See also</i> BOSTON ELEVATED RAILWAY COMPANY; ELEVATED RAILWAYS; WEST END STREET RAILWAY COMPANY			
STREETS			
in general, abutters to grade	1845	236	1
acceptance of, regulated	1845	236	
	1849	133	
	*1906	258	
act relative to	*1871	217	
advertising signs, etc., on, regulated	*1895	352	
	1907	550	13
	*1913	680	
alms, receiving in, regulated	*1909	538	
assessment of betterments for	*1871	217	
	*1872	242	
	*1898	252	
	1906	393	

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STREETS — <i>Continued</i>			
in general — <i>Continued</i>			
assessment of betterments for (<i>concluded</i>)	1913	536	
	1920	74	
	1920	101	
apportionment	1906	393	8
	1920	74	
	1920	101	
interest on	1906	393	6
	1920	74	
	1920	101	
jury trial	1906	393	6
orders, contents, etc.	1906	393	2
	1913	536	2
payment	1906	393	7
	1920	74	
	1920	101	
reassessment of	1906	393	5, 6
	1913	536	3
release of part of estate from	1895	297	
balconies, etc., projecting into, regulated	1799	31	
bay windows projecting into, regulated	1909	486	28
boilers not to be maintained under	1907	550	13
Boston Elevated Railway Company, portion of highways occupied by its tracks, com- pany required to keep in repair, etc.	1923	358	
Boston Protective Department, right of way in	1874	61	3
Boston transit commission, certain takings by	1894	548	31
building line, establishment on	*1893	462	
canopies, etc., projecting into, regulated	1799	31	
care, maintenance, etc., powers of aldermen as to, may be delegated to street commis- sioners	1877	228	1, 3
carriages in, regulations	*1809	27	
cellar doors projecting into, regulated	1799	31	4
coal holes, vaults, etc., in, under, etc., permits for	1909	486	28
coasting in, regulated	1909	486	28
commercial purposes, illegal use of, for, penalties	1907	584	10
	1909	329	
conduits, poles, etc., in, locations for, jurisdiction as to	1909	486	28
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construction (<i>See, infra</i> , laying out, construction, etc.)			
congestion in, investigation as to	*1907	247	
discontinuance, of certain	1894	548	25
provisions as to	1816	90	
	*1852	266	
	1870	337	3
	1872	322	
disorders in, etc., prevention of	*1761-62	5	
	*1834	139	
door steps projecting into, regulated	1799	31	4
electric wires, etc., in (<i>See, infra</i> , wires and electric appliances in)			
engineer, city, powers and duties as to	1895	449	21
fees for licenses for sale of merchandise in	1907	584	6
fire, starting, etc., in, regulated	1817	171	10
fire department, right of way in	1873	374	
footways in, regulated	1799	31	
	*1809	27	
gas pipes, etc., in, laying, etc., regulated	1906	393	2, 3
	1913	536	2
street commissioners to prescribe size, etc., of	1906	393	2, 3
	1913	536	2

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STREETS — <i>Continued</i>			
in general — <i>Continued</i>			
grading, abutters, by	1845	236	
not to be considered as acceptance of	1845	236	1
gutters in, regulated	1799	31	1
hawkers and pedlers, use of, by, without a license	1907	584	9
horses, auction sales of, in, regulated	1904	336	
	1905	426	
lamplighters, appointment to other positions	*1922	35	
lamps, location, etc., regulated	1825	3	1
	1906	393	10
land takings, damages, interest	1913	148	
laying out, construction, etc., acts relative to	1799	31	
	*1804	73	
	*1852	266	
	*1866	174	
	*1868	276	
	1870	337	3
	1872	322	
	*1888	397	
	*1891	323	
	*1892	418	
	*1896	237	
	*1897	319	
	1898	210	
	*1898	566	
	*1901	448	
	*1902	520	
	*1906	214	
	*1906	258	
	1906	393	
	1913	536	1
	*1913	554	
	1917(S)	318	
benefits, etc., commissioners to determine	1906	393	5
	1913	536	3
betterments in connection with (<i>See, supra</i> , assessment of betterments for)			
contracts for	1906	393	3
damages for	1906	393	2
	1913	148	
	1913	536	2
expenditures for, how met	*1906	214	
loans for	*1901	199	
	1912	661	
	*1930	306	
materials, certain, city to furnish	1906	393	3
openings after, regulated	1906	393	4
order to include land taking, etc.	1895	494	
public hearing, etc.	1906	393	2
	1913	536	2
street commissioners to have powers of alder- men relative to	1870	337	
superintendent of streets, duties, etc.	1906	393	3
work, not to be done after certain date, unless, etc.	1906	393	4
performance of, approval by mayor	1906	393	3
licenses to sell merchandise in, applications, etc.	1907	584	2
lighting of, regulated	*1773-74	12	
	1825	3	
	1909	46	6
loans in connection with	*1901	199	
	1912	661	
	*1929	352	
	*1930	305	

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STREETS — Continued			
in general — <i>Continued</i>			
loans in connection with (<i>concluded</i>)	*1930	306	
	*1931	249	
	*1932	176	
macadamizing of	*1831	17	
major traffic streets, express roads and traffic park-			
ways, regulations as to	1930	168	
market limits, farm produce, sale of, in, regulated	1907	584	8
	1908	519	
	1909	329	
	1921	191	
	1937	90	
provisions and perishable produce, sale within,			
without a license	1907	584	8
	1908	519	
	1937	90	
use of, by tenants, etc., within, regulated	1908	519	
marquises, etc., projecting over, regulated	1909	486	28
merchandise, hoisting in, regulated	1816	90	4
placing in, regulated	1799	31	6
sale of, in, licenses for, applications	1907	584	2
duration of	1907	584	5
fees for	1907	584	6
regulated	1907	584	
	1908	519	
	1909	329	
	1921	191	
	1937	90	
unlawfully occupying, etc., for, arrest without			
warrant	1907	584	10
	1909	329	
penalty for	1907	584	10
	1909	329	
naming of, regulated	1880	67	
	1884	278	
	1909	486	28
parks, not to be laid out over, except	1875	185	13
obstructions, etc., in, jurisdiction as to	1909	486	28
removal, etc., of	1799	31	
	*1804	73	
	*1847	224	
<i>See also, infra</i> , projections over			
official thoroughfare plan, establishment, etc.	1930	168	
opening of, etc., deposit to be made in cases of	1910	553	
proceedings upon failure to make further			
repairs	1910	553	2
fees for, regulated	1910	571	
restriction as to	1906	393	4
"parcel of real estate", term defined in connection			
with	1906	393	1
	1913	536	1
	1917(S)	318	
parkways and boulevards to be connected with	1898	540	1
paving, regulated	1799	31	1
	*1809	27	
	*1831	17	
	1894	454	4
plan 3, sections 4, 9 and 50, lay out, etc., of certain,			
shown on	*1897	166	
plans for laying out, etc., of, making of new	1898	210	1
poles, etc., in (<i>See, infra</i> , wires and electrical appli-			
ances)			
police to have certain rights of way in	1889	57	
posts, etc., placing in, regulated	1799	31	5

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STREETS — <i>Continued</i>			
in general — <i>Continued</i>			
projections in, under or over, regulated	1799	31	
	*1895	352	
	1907	550	13
	1909	486	28
	*1913	680	
public improvements, orders for, approval by			
mayor	1906	393	2
	1913	536	2
damages for, recovery of	1906	393	2
	1913	148	
	1913	536	2
orders for, contents, etc.	1906	393	2
	1913	536	
recording	1906	393	2
	1913	536	2
public urinals in, construction, etc.	1876	665	
records, copies of, certified by town clerk, validity			
of	1816	90	2
selectmen to keep	1816	90	3
relocation of, provisions as to	*1878	75	
<i>See also, supra</i> , laying out, construction, etc.			
repair and reconstruction of, appropriation	*1918(S)	120	
	*1919(S)	172	
loans	*1930	305	
	*1931	249	
	*1932	176	
right of way in, Boston Protective Department to			
have	1874	61	3
fire department to have	1873	374	1
police officers to have	1889	57	
sale of merchandise in (<i>See, supra</i> , merchandise)			
sewers in, construction of, etc.	1899	426	
	*1900	478	
	1906	393	
location, etc., regulated	1906	393	10
<i>See also SEWERS</i>			
sidewalks in (<i>See SIDEWALKS</i>)			
signs, awnings, etc., in, regulated	*1895	352	
	1907	550	13
	1909	486	28
	*1913	680	
smoking in, prohibited	1817	171	10
provision repealed	1880	38	
snow, etc., in public alleys, city not to remove	1898	298	2
thoroughfares, laying out, etc., of certain	1912	661	
traffic in, regulated	*1908	447	
	1929	263	
<i>See also BOSTON TRAFFIC COMMISSION</i>			
traffic streets, parkways, etc., system of major,			
establishment, etc.	1930	168	
trees, placing in, regulated	1799	31	5
	*1867	242	
	1909	486	28
Union Freight Railroad Company, may lay tracks,			
etc., in	1872	342	
	*1930	92	
use of, by, restricted	*1901	430	
urinals, public, construction, etc.	1876	65	
vehicles, exclusion from certain	1913	432	
<i>See also VEHICLES</i>			
vehicular traffic, rules and regulations as to	1929	263	2
	1935	319	
water pipes, location, regulated	1906	393	10
watering of, assessments, etc., for	1899	366	
provision for	1899	366	

	Year	Chapter	Section
STREETS — <i>Continued</i>			
in general — <i>Concluded</i>			
widening, etc., loans for certain	1912	661	
	*1929	352	
regulated	1799	31	3
	*1804	73	
<i>See also, supra</i> , laying out, construction, etc.			
width, not less than thirty feet, except	1845	236	2
wires and electric appliances in, removal or placing			
underground of certain	1894	454	
	*1898	249	
	*1908	347	
	*1911	364	
	*1916(S)	196	
	*1921	196	
	*1926	240	
	*1931	101	
	1936	110	
<i>See also</i> WIRES AND ELECTRIC APPLI- ANCES			
boulevards and parkways,			
in general, building line and height of buildings on	*1896	313	
	*1897	379	
	*1913	680	
connection of public ways and	1898	540	1
streets and lands near, powers of park com- missioners as to	1903	331	1
	1905	205	
Bennington boulevard, improvement, betterments for, reduction	*1912	537	
Centre street, maintenance of portion, as a park- way	1929	248	1
parkway from, to West Roxbury parkway, construction, etc.	1930	420	
reconstruction of portion, loan	1929	248	
	1931	2	
Columbia road, construction	1897	394	
betterments on account of, abatement of portion	*1911	415	
East Boston district, strandway along waterfront, construction in	1931	422	
Gallivan boulevard, traffic circle at Old Colony Boulevard and, construction, etc.	1934	341	
Jamaicaway, overpass at Riverway, Huntington Avenue and, construction, etc.	1934	380	
	*1935	368	
Old Colony boulevard, areas of street intersec- tions within, care, control, etc., of certain	*1932	288	
strandway, East Boston waterfront, along, con- struction	1931	422	
South Boston, in, completion	*1896	453	
West Roxbury parkway, care, control, etc.	1915(G)	270	
	*1927	272	
parkway from Centre street to, construction, etc.	1930	420	
	1931	454	
highways,			
appropriations for	*1901	465	
laying out, construction, etc.	*1891	323	
	1895	494	1
	*1897	319	
	1898	210	1
	*1899	433	
	*1899	443	
	*1902	521	

	Year	Chapter	Section
STREETS — <i>Continued</i>			
highways — <i>Concluded</i>			
laying out, construction, etc. (<i>concluded</i>)	*1906	214	
	1906	393	
	1913	536	1
	1917(S)	318	
assessment of betterments for, release of part of estate	1895	297	
	*1898	252	
land takings, order to include	1895	494	1
loans	*1900	478	
	*1901	199	
locations, etc., of, regulated	*1897	371	
new plans for	1898	210	1
<i>See, also, supra</i> , in general, laying out, con- struction, etc.			
specific repairs on, regulated	1917(S)	318	
term "highway" defined	1906	393	1
	1913	536	1
	1917(S)	318	
overpasses and underpasses,			
Commonwealth Avenue underpass, construction, etc.	1937	173	
Jamaicaway, Riverway and Huntington avenue at, construction, etc.	1934	380	
	*1935	368	
private ways,			
filth, rubbish, etc., removal from	1897	185	
	1917	240	
grading, width, etc.	1845	236	
naming of, aldermen, by	*1868	199	
paving	*1894	119	
police officers, rights of, upon	1912	240	
public alleys,			
defects in, city not liable for	1898	298	2
Governor's alley, widening	*1772-73	28	
laying out, construction, etc.	1898	298	1
	*1902	521	
	1906	393	3
obstruction in, penalty for placing	1898	298	3
snow, removal of, not by city	1898	298	2
substances, certain, removal of, from	1898	298	2
term defined	1906	393	1
	1913	536	1
	1917(S)	318	
traffic circles,			
Charles and Cambridge streets, at, sidewalks, etc., in connection with	1931	362	
Charles River dam, construction of certain, near easterly end	*1929	371	
Gallivan and Old Colony boulevards, construction, at	1934	341	
Haymarket square, construction, etc., in	1932	287	
Aberdeen street, acceptance of	*1896	100	
Albany street, extension	*1855	73	
	*1856	107	
	*1859	21	
	1859	210	3
Arlington street, construction			
land between Charles street and, building on, re- stricted	1859	210	3
width	1859	210	3
Ashland street, widening, etc., loan	*1926	220	
Atlantic avenue, construction	*1867	324	
extension, loan	*1871	259	
	1899	466	

STREETS — <i>Continued</i>	Year	Chapter	Section
Atlantic avenue — <i>Concluded</i>			
filling, etc.	*1869	181	
tidewaters, over, laying out, etc.	*1867	324	
Austin street, grade crossing, abolition	*1900	471	
	*1902	317	
Avery street, widening, extension, etc., loan	*1912	558	
	*1913	695	
	1917(S)	111	
B street, South Boston, part of, discontinued	*1902	377	
sale of land on, etc.	*1902	377	
Back Bay, plan for, confirmed	1861	142	
Back Bay Fens, abolition of certain proposed, in	*1909	209	
highway around, laying out, construction	*1897	523	
laying out, etc., of certain, in	*1894	439	
	1898	210	2
	*1911	453	
Back street, grading, etc.,	*1900	170	
Batterymarch street, relocation, etc.	*1766-67	21	
Beacon street, grade of portion, changed	*1908	622	
height of buildings on, near state house, limited	1899	457	1
	*1901	525	
	1902	543	1
damages in connection with, provision for	1899	457	2
	*1901	417	
	1902	543	2
	*1905	224	
payment of, by commonwealth	*1903	234	
Newton authorized to construct and maintain			
sewers in portion of	1902	480	
widening of portion	*1871	96	
yard space requirements in certain lots on	1927	342	
Belgrade avenue, improvement	*1903	370	
Belvidere street, construction	*1898	337	
Bennington street, East Boston, construction, etc.	*1898	226	
grade crossing on, alteration	*1899	390	
Berkeley street, act relative to	*1867	338	
part of, conveyed to Boston	1873	350	
removal of restrictions on certain parcels on	1927	246	
Blue Hill avenue, construction, etc., loans for	*1895	334	
	*1896	209	
	*1898	236	
grade crossing on, abolition	*1900	453	
highway from Canterbury street and, to inter-			
section of Cummins highway and Hyde			
Park avenue, construction, etc.	1930	420	2, 16
	1931	454	
Boston Neck, repairing, etc., of, lottery for	1755-56	24	
	*1758-59	38	
Boston Wharf Company, city authorized to lay out, etc.,			
over land of	*1854	218	
Bow street, widening	*1898	275	
Bowdoin street, height of buildings on, limited	1902	543	1
damages in connection with, provision for	1902	543	2
	*1905	224	
payment by commonwealth	*1903	234	
parking on, by general court members	1934	140	
Boylston street, height of buildings on, between Claren-			
don and Dartmouth streets, regulated	1898	452	
laying out, construction, etc., of portions	*1893	339	
	*1894	439	
	*1898	227	2
Massachusetts Institute of Technology, lands be-			
longing to, on (<i>See</i> MASSACHUSETTS			
INSTITUTE OF TECHNOLOGY)			

	Year	Chapter	Section
STREETS — <i>Continued</i>			
Boylston street — <i>Concluded</i>			
street car tracks on, removal	1894	548	35
	1896	492	
replacement	*1899	398	
subway incline approach, construction in	1913	810	3
widening, etc., in connection with subway construction	1913	810	3
Brandon street, improvement	*1903	370	
Bremen street, East Boston, grade crossing on, abolition, .	*1899	390	
Brighton avenue, completion of	*1895	268	
widening of portion	*1871	96	
Broad street, extension	*1833	185	
Broadway (<i>See, infra</i> , Pleasant street)			
Brookline avenue, widening of portion	1871	96	
Byron street, extension	*1844	58	
C street, South Boston, laying out, etc.	*1902	377	
sale of land on, etc.	*1902	377	
Cambridge street, Allston, in, width of, established	*1893	305	
Charlestown, in, grade crossing on, abolition	*1900	471	
traffic circle at Charles street and, construction	*1929	371	
sidewalks, etc., in connection with, construction	1931	362	
widening, etc., loan	*1923	489	
	*1929	352	
alterations in certain structures in connection with	*1924	403	
term "Court street" defined for purposes of	*1924	403	
subway construction, in connection with	1911	741	10
Canal street, widening	1895	440	5
Canal and Haverhill streets, land between, transfer of			
certain, to city	1897	347	
leasing or sale authorized	1915(S)	178	
Canterbury street, acquisition of certain land for improvement of	*1919(S)	224	
highway from Blue Hill avenue and, to Washington street in West Roxbury, construction, etc.	1930	420	2, 16
route altered	1931	454	
Carleton street, laying out, etc.	*1900	139	
Causeway street, widening, loan	*1927	261	
Centre street, parkway, maintenance as	1929	248	1
reconstruction of portion, loan	1929	248	
	1931	2	
Chapman street, Charlestown, widening of, confirmed	*1864	123	
Charles River dam, new highway from, to Nashua street, construction, loan, etc.	*1927	261	
traffic circle at easterly end of, construction	*1929	371	
Charles street, extension	*1855	86	
tracks on, relocation	1913	810	3
traffic circle at Cambridge street and, construction	*1929	371	
sidewalks, etc., in connection with, construction	1931	362	
widening, etc.	*1929	371	
Charlestown street, bridge approach, construction of			
portion, as, loan	*1897	346	
to Commercial street, construction of avenue from	*1895	498	
widening, etc.	*1895	498	
Chelsea-Bridge avenue, grade crossings on, abolition	*1892	374	
Chelsea street, widening, etc.	*1907	403	
Chestnut street, ward twenty-two, Brookline authorized to lay, etc., sewer in	1887	331	
Chilmark street, relocation, etc.	*1897	380	
Clinton street, extension	*1854	279	
	*1854	408	

	Year	Chapter	Section
STREETS — Continued			
Clinton street — <i>Concluded</i>			
widening, etc.	*1895	498	
Columbia road, laying out and construction	1897	394	
betterment assessments on account of, abatement			
of portion	*1911	415	
	*1912	339	
Columbus avenue, construction, etc., loan for	*1895	334	
	*1896	209	
	*1898	236	
extension, etc.	*1894	416	
Commercial street, extension	*1833	185	
widening, etc.	*1895	498	
	*1897	446	
Commonwealth avenue, construction, etc., loan for	*1895	334	
	*1896	209	
	*1898	236	
underpass at Massachusetts avenue and, construc-			
tion, loan	1937	173	
Congress street, extension, loan	*1899	283	
South Boston, grade crossing on, alteration	*1896	535	
Copley square, height of buildings on or near, regulated	1898	452	
	1920	455	
	1929	338	
occupation of, by Boston Elevated Railway Com-			
pany	1894	548	
<i>See also</i> COPLEY SQUARE			
Court street, widening, loan, etc.	*1923	489	
	*1929	352	22
alterations in certain structures in connection			
with	*1924	403	
term "Court street" defined for purposes of	1924	403	
Cove street, extension	*1897	388	
Crescent street, Charlestown, Somerville, authorized to			
construct sewer in	*1883	87	
Cross street, extension	*1897	446	
improvement, etc., in connection with construction			
of tunnel approach	1932	287	1
Curtis street, East Boston, grade crossing on, alteration	*1899	390	
Dakota street, extension	*1897	149	
Dartmouth street, height of buildings on, near Copley			
square, regulated	1898	452	
	1920	455	
widening	1866	68	2
Derne street, parking on, by general court members	1934	140	
Devens street, widening	*1898	275	
Dock square, prevention of nuisances, etc., on	*1764-65	9	
widening, etc., loan	*1925	333	
	*1929	352	
Dorchester avenue, construction, etc.	1897	512	
payment for	1897	512	
grade crossing on, abolition	*1897	519	
damages for	*1903	392	
	*1905	283	
Dorchester bay, highway along shore of, construction of,			
in Quincy	*1928	259	
Dorchester district, laying out, etc., of certain, in	*1870	79	
	*1897	457	
power to lay out certain highways in	*1897	371	
Dorchesterway, betterment assessment on account of,			
abatement of portion	*1897	396	
Dover street, extension	*1834	65	
East Boston, grade crossings in, abolition, etc., of cer-			
tain	*1895	491	
	*1899	390	
East First street, extension	*1914	652	

	Year	Chapter	Section
STREETS — <i>Continued</i>			
Eastern avenue, construction, etc.	*1865	55	
extension	*1889	283	
Eliot street, relocation, widening, etc., loan	*1917(S)	329	
	*1918(S)	118	
	*1920	312	
	*1920	465	
	*1921	407	
Eliot street and Boston and Albany Railroad, between, discontinuance	1894	548	25
Embankment road, widening, etc.	*1929	371	
Essex street, ward twenty-five, grade crossing on, abolition	1904	391	
Eustis street, grade of certain land adjoining, raising of	*1873	340	
Faneuil Hall square, widening, etc., loan	*1925	333	
	*1929	352	
	*1902	281	
Franklin street, Brighton, in, widening			
Front street (<i>See, supra</i> , Dover street)			
Gaffney street, surface drain, laying, etc., on certain state land on	1916(S)	328	
Governor's Alley, widening	*1772-73	28	
Hancock street, parking on, by general court members	1934	140	
Harrison avenue, abatement of nuisances on certain land adjoining	*1877	217	
Harvard street, widening of, taking of certain state land for, authorized	*1915(S)	91	
Haverhill street, widening of	1895	440	5
Haverhill and Canal streets, land between, lease or sale of	1915(S)	178	
transfer of certain, to city	1897	347	
Haymarket square, traffic circle, etc., at, construction, etc.	1932	287	1
Huntington avenue, construction, etc., loan for	*1895	334	
	*1896	209	
	*1898	236	
	*1894	416	
extension, etc.			
overpass at Riverway, Jamaicaaway and, construc- tion and maintenance	1934	380	
	*1935	368	
Hyde Park avenue, improvement	*1903	370	
	*1908	437	
street railway line on, construction of certain	1920	613	7
	1920	637	4
widening	*1902	150	
India street, widening	*1897	446	
Kneeland street, widening, loan	*1924	476	
	*1929	352	
L street, widening, loan, etc.	*1930	264	
	*1931	116	
	*1932	176	
Lansdowne street, building lines on, changed	*1900	348	
Leverett street, laying out, etc.	*1760-61	32	
reconstruction	*1929	371	
Longfellow bridge, street under, construction of certain	*1929	371	
Main street, Charlestown, grade crossing, abolition	*1900	471	
	*1912	529	
Malden bridge to Everett-Boston boundary, laying out, etc.	*1900	296	
Mason street, widening, etc., of portion, loan	*1913	695	
balance of loan, disposition	1917(S)	111	
Massachusetts avenue, underpass in Commonwealth avenue at, construction	1937	173	
Maverick street, East Boston, grade crossing, altera- tion of	*1899	390	
Melville avenue, lay out, location, etc.	*1897	167	

	Year	Chapter	Section
STREETS — <i>Continued</i>			
Merrimac street, widening, etc.	1932	287	1
Middle street to Ann street, laying out of certain from	*1772-73	27	
	*1773-74	2	
Milk street, extension, etc.	*1865	159	
Mill-dam, streets on northerly side of, plan confirmed	1861	142	
Mill Dam road, to be laid out as highway	*1868	291	
Miner street, acceptance of	*1896	123	
Morton street, widening, extension of certain section, loan	*1925	325	
Nashua street, new highway from Charles river dam to, construction, etc., loan	*1927	261	
reconstruction	*1929	371	
widening, etc.	*1927	261	
Newbury street, buildings at No. 337, exempted from certain garage regulations	1912	259	
parcel of land at Arlington street and, released from certain restrictions	*1913	579	
parcels of land on, certain, between Arlington and Berkeley streets, released from certain restrictions	1927	246	
Northampton street, land, certain, adjoining, grade of, raising	*1873	340	
nuisance on, abatement	*1877	217	
Northern avenue, agreements relating to, performance of	*1901	507	
construction, etc., loan	1903	381	
railroad tracks in	1903	381	1
Oakland street, grade crossing on, abolition	*1900	453	
widening, etc., loan	*1926	220	
Old Colony avenue, improvement, damages resulting from, petitions for	*1905	283	
Old Colony boulevard, areas of street intersection within, care, control, etc.	*1932	288	
Oliver street, extension, loan	*1889	283	
Park square, act relative to	*1867	308	
Park street, Dorchester, lay out of certain land adjoining, new plan for	*1897	167	
Parker street, abatement of nuisance in area adjoining	*1872	312	
conveyance to city	1874	286	
Perkins street, grade crossing on, abolition	*1900	471	
Peterborough street, land at junction of Audubon road and, sale authorized	*1898	141	
Pleasant street, nuisance on certain land adjoining, abatement	*1868	277	
	*1871	108	
street railway location in, provisions as to	*1911	591	
	*1916(S)	153	
	*1917(S)	186	
widening, etc., loan	*1911	591	
	1917(S)	111	
betterments for	*1911	591	
	*1916(S)	153	
time for revision of, extended	*1918(S)	155	
Pond avenue, Brookline authorized to lay, etc., sewer in	1887	331	
Porter street, East Boston, grade crossing on, abolition	*1899	390	
Prentiss street, abatement of nuisance in area adjoining	*1872	312	
Prescott street, East Boston, grade crossing on, abolition	*1899	390	
Prison Point street, grade crossing on, abolition	*1899	421	
	*1900	193	
Purchase street, lay out, etc.	*1760-61	32	

	Year	Chapter	Section
STREETS — <i>Continued</i>			
Quincy, in, highway along Dorchester bay, construction, etc.	*1928	259	
Richmond street, laying out, confirmed	*1864	123	
River street, widening, reconstruction, loan, etc.	*1925	323	
	1926	260	
Roxbury, in, laying out, etc.	*1869	448	
repairing, etc., of certain, lottery for	*1758-59	39	
	*1760-61	15	
Ruggles street, nuisance on land adjoining, etc., abatement of certain	*1872	312	
Rutherford avenue, grade crossing on, abolition	*1900	471	
	*1912	529	
height of buildings on, regulated	1907	416	
widening	1898	275	
St. Ann street, reconstruction of portion, loan	1929	248	
St. James avenue, height of buildings on, between Clarendon and Dartmouth streets, regulated	1898	452	
	1920	455	
	1929	338	
Saint Paul street, surface drain, laying, etc., on certain state land on	1916(S)	328	
Saratoga street, East Boston, grade crossing on, alteration	*1899	390	
Sleeper street, construction, loan, etc.	1903	381	
railroad tracks on	1903	381	
South Bay, over, construction, etc.	*1869	78	
	*1869	447	
	*1874	114	
	*1874	387	
southern artery, construction, etc.	*1925	330	
maintenance as public street	1925	330	
strandway, East Boston, in, construction	1931	422	
South Boston, in, completion	*1896	453	
Stuart street, laying out, construction, loan, etc.	*1917(S)	329	
	*1918(S)	118	
	*1920	312	
	*1920	465	
	*1921	407	
Summer street, South Boston, widening, etc., loan	*1930	264	
	*1931	116	
	*1932	176	
Sumner street, East Boston, grade crossing on, alteration	*1899	390	
Swett street, abatement of nuisance on certain land adjoining	*1877	217	
thoroughfare, laying out of certain, provision for	1912	661	
Travers street, discontinuance	1894	548	
Tremont street, abatement of nuisance in area adjoining	*1868	277	
	*1871	108	
	*1872	312	
occupation by Boston Elevated Railway Company, regulated	1894	548	22
street car tracks on, removal	1894	548	35
	1896	492	
replacement	*1899	398	
widening, etc., loan	*1924	475	
	*1929	352	
Trinity place, land, certain, between Dartmouth street and, exempted from limitations as to height of buildings	1920	455	
Union street, widening, etc.	*1925	333	
	*1929	352	

	Year	Chapter	Section
STREETS — <i>Concluded</i>			
Walk Hill street, acquisition of certain land for improvement of	*1919(S)	224	
Walter street, widening, etc.	*1892	292	
	*1901	488	
	*1904	192	
wards, thirteen, fourteen and fifteen, laying out, etc., in	*1869	448	
twelve and sixteen, laying out, etc., in	*1870	79	
Washington street, Adams square station, alteration of, as affecting	*1931	169	
Dorchester district, in, park land on, conveyance of certain	*1936	153	
land certain, bounded by Lovering place, etc., and, exempted from certain restrictions	1914	786	
nuisance on certain lands adjoining, etc., abatement of certain	*1868	277	
	*1871	108	
	*1873	340	
occupation of portion, Boston Elevated Railway Company, by	1894	548	22
street car tracks, removal, on portion of	1902	534	14
widening of portion, loan	*1913	695	
	1917(S)	111	
West Roxbury district, in, highway from, to Blue Hill avenue, construction, etc.	1930	420	2, 16
route altered	1931	454	
lands, certain, on, sale to Harvard College	*1901	187	
reconstruction, etc.	*1914	641	
state highway, lay out, construction, etc., as	*1907	574	
	*1910	527	
widening, extension, etc.	*1913	799	
	*1925	325	
waterfront strandway, construction, etc., loan	1931	422	
Webster street, East Boston, grade crossing on, abolition	*1899	390	
West Chester park, extension of, loan	*1889	254	
West Roxbury parkway, care, control, etc.	1915(G)	270	
	*1927	272	
parkway from Centre street to, construction, etc., loan	1930	420	
	1931	454	
STREETS, SUPERINTENDENT OF			
ferries, care and management of certain, by	1895	449	25
public, alleys, construction, etc., powers as to	1906	393	3, 4
improvements, powers as to	1906	393	3, 4
ways, construction, etc., by	*1906	214	
sewer assessments, duties as to	*1892	402	
	1895	494	
sewerage works, construction of, powers as to	*1892	402	
	1897	426	4
	1903	268	
sewers, construction, etc., powers as to	1906	393	3, 4
sidewalks, opening of, deposits in cases of, requiring by powers as to	1910	553	
	1894	454	4, 11
	1895	494	
	1906	393	3, 4
	1910	553	2
streets, laying out, construction, etc., of, powers, etc., as to	1895	494	
	*1906	214	
	1906	393	3, 4
opening of, deposit in cases of, requiring by, etc.	1910	553	
water courses, powers as to	1897	426	4
	1903	268	2
ways, powers as to	1897	426	4
	1903	268	2

	Year	Chapter	Section
STUART STREET			
laying out, construction, etc.	*1917(S)	329	
	*1918(S)	118	
	*1920	312	
	*1920	465	
	*1921	407	
SUBORDINATE OFFICERS			
term construed	1890	418	2
to hold office until removed	1885	266	3
<i>See also</i> OFFICERS			
SUBWAY COMMISSIONERS, BOARD OF			
appointment, etc.	1893	478	1
Boston Transit Commission, to be members of	1894	548	23
powers and duties	1893	478	
secretary, appointment, etc.	1893	478	1
subways, equipment	1895	440	6
Tremont Street subway, construction, etc., by	1893	478	2
<i>See also</i> BOSTON TRANSIT COMMISSION; SUBWAYS AND TUNNELS; TRANSIT DEPARTMENT			
SUBWAY STATIONS			
Adams square, alterations in	1917(S)	335	
	*1931	169	
Arlington street, construction	*1915(S)	297	
	1916(S)	342	
	1917(S)	344	
Audubon circle	*1934	268	
Boston Common, on, restrictions as to	1894	548	29
	1895	440	3
Charles street, construction, etc.	1924	444	1
	1931	362	
Harvard square, alterations in	*1925	321	
Haymarket square, land adjoining, taking	1894	548	31
Kenmore square, construction	1925	341	
	*1928	403	
	1930	394	
	*1934	268	
	1935	100	
Maverick square, extension	1917	373	
Scollay square, alterations, etc.	*1924	403	
<i>See also</i> SUBWAYS AND TUNNELS			
SUBWAYS AND TUNNELS			
acts relative to	*1893	481	
	*1894	481	
Adams Square station, alterations in	1917(S)	335	
	*1931	169	
Bay State Street Railway Company, use of, by	1917(S)	335	
Arlington Street station, construction, etc.	*1915(S)	297	
	1916(S)	342	
loan for	1916(S)	342	13
acceptance, etc.	1917(S)	344	
contract for use of, etc.	1916(S)	342	10
	1917(S)	344	
Boston and Eastern Electric Railroad Company, construction, etc.	*1910	630	
Boston Common, under, construction, etc., regulated	1893	478	2
	1894	548	{ 22, 25
	1895	440	{ 27, 29
	1906	520	3
	1917(S)	373 (Pt. III)	23
Boston Elevated Railway Company, prepayment areas, establishment	1917	373 (Pt. III)	10
transfer areas, establishment	1917	373 (Pt. III)	10
<i>See also</i> BOSTON ELEVATED RAILWAY COMPANY			

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SUBWAYS AND TUNNELS — <i>Continued</i>			
Bowdoin square, under, construction, etc.	1897	500	5
Boylston Street subway, Arlington station in, construction, etc.	*1915(S)	297	
	1916(S)	342	
loan for	1916(S)	342	13
acceptance of act, time extended	1917(S)	344	
contract for use of, etc.	1916(S)	342	10
	1917(S)	344	
Audubon Circle station	*1934	268	
Beacon Street extension	1925	341	
	*1928	403	
	1930	394	
	*1934	268	
	1935	100	
Commonwealth Avenue extension	1925	341	
	*1928	403	
	1930	394	
	1935	100	
construction, loan, etc.	1911	74	
	*1915(S)	297	
	*1915	376	
	*1916(S)	342	
	1917(S)	344	
	1925	341	
suspension in part, temporarily	1913	810	2
contract for use, etc.	1911	741	7, 34, 38
modification	1913	810	4
term, rental, etc.	1911	741	32
excess rentals, how applied	1911	741	37
extension of, loan for	1925	341	
	*1928	403	
	1930	394	
	*1934	268	
	1935	100	
Governor Square extension	1925	341	
	*1928	403	
	1930	394	
	*1934	268	
	1935	100	
Kenmore station, construction	1925	341	
	*1928	403	
	1930	394	
	*1934	268	
	1935	100	
route	1911	741	5
alteration, investigation as to	1913	810	1
variations in	1911	741	16
	1915(S)	376	
Cambridge Connection, so called, construction, etc.	1906	520	23
contract for use, terms, etc.	1911	741	30, 34, 38
excess rentals, how applied	1911	741	37
<i>See also, infra, Cambridge Subway</i>			
Cambridge Street subway, commonwealth not to take, except, etc.	1902	534	19
construction, etc., loan for	1897	500	5
	1906	520	23
East Boston tunnel and other subways, connection with	1902	114	
title of city to, in private capacity	1902	534	19
Cambridge subway			
Boston Elevated Railway Company, rights, etc., in	1906	520	27
Charles Street station, construction, etc.	1924	444	1
	1931	362	

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SUBWAYS AND TUNNELS — <i>Continued</i>			
Cambridge subway — <i>Concluded</i>			
construction, etc.	1906	520	
	1924	444	
	1931	362	
payment for	1906	520	23
terms and conditions	1906	520	20
Harvard Square station, alterations in	*1925	321	
routes	1906	520	23
taxation of, regulated	1906	520	26
use of, Boston Elevated Railway Company, by	1906	520	23
Canal, Causeway and Haverhill streets, approach to			
subway at, leasing of parts of	1912	485	
Charles Street station, construction, etc.	1924	444	
	1931	362	
Charlestown district, in, construction of certain	*1915(S)	293	
connection of certain, authorized	1902	114	
Court street, under, construction, etc.	1893	478	2
	1897	500	4, 5
Dorchester rapid transit extension (<i>See, infra</i> , Dor-			
chester tunnel, extension)			
Dorchester tunnel, construction	1911	741	
	1915(S)	376	
bond issue	1911	741	
commencement	1911	741	2, 15
compensation for injury to property	1911	741	1
general provisions	1911	741	14-26
	1915(S)	376	
plan, filing	1911	741	2
route	1911	741	1
alterations in	1911	741	16
	1915(S)	376	
excess rentals, how applied	1911	741	37
extension, construction	1923	480	
bond issue for	1923	480	11
damages, payment of	1923	480	8
interest paid during, deemed part of cost	1925	206	
contract for use	1923	480	5, 13
temporary contracts	*1925	193	
route	1923	480	2
use of, contracts, etc.	1911	741	{ 3, 31
			{ 34, 38
	*1915(S)	130	
east and west subway, construction of an	*1907	573	
	*1910	579	
act repealed	1911	741	8
East Boston tunnel, alterations in	1917(S)	373 (Pt. III)	11
	1924	120	
commonwealth not to take, except, etc.	1902	534	19
connection with subways, etc.	1902	114	1
construction, loans, etc.	1894	548	
	1897	500	{ 17, 18
			{ 26, 37
	*1903	190	
	*1905	187	
	1911	741	36
	1917(S)	373 (Pt. III)	11
	1924	120	
excess rentals, application	1911	741	37
extension (<i>See, infra</i> , East Boston tunnel extension)			
lease, rental, etc.	1897	500	17
	1911	741	28, 34, 38
	*1913	667	

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SUBWAYS AND TUNNELS — <i>Continued</i>			
East Boston tunnel — <i>Concluded</i>			
Maverick square extension loan, etc.	1917(S)	373 (Pt. III)	11
rental, excess, application	1911	741	37
pledged to pay bonds	1897	500	17
subways, connection with	1902	114	
title of city to, in private capacity	1902	534	19
tolls for use of	1897	500	17
abolition	1911	741	28, 36
	1915(S)	184	
appropriations to take place of, provisions as to	1915(S)	184	1, 2
	1915(S)	324	
damages on account of, determination	1915(S)	184	5
pledged to payment of bonds	1897	500	17
East Boston tunnel extension, construction, loans, etc.	1911	741	{10, 11 13, 15}
	1915(S)	376	
	1917(S)	373 (Pt. III)	
	1924	120	
contract for use of, etc.	1911	741	12, 34, 38
term, rental, etc.	1911	741	33
route	1911	741	10
alterations, etc., in	1911	741	16
	1915(S)	376	
East Boston vehicular tunnel (<i>See, infra</i> , Sumner Tunnel)			
elevated structures, locations	1894	548	
	1897	500	15
	1906	520	23
Everett and Malden, in, construction	*1913	777 {Pts. II III}	
	*1917(S)	364	
provision repealed	*1925	123	
federal funds, construction of certain, with aid of	*1935	492	
	1933	366 (Pt. II)	
	1937	159	
Governor Square crossing, elimination, etc.	1925	341	
	*1928	403	
	1930	394	
	1935	100	
Harvard Square station, alteration	*1925	321	
Haverhill and Canal streets, land between, taken for			
purposes of, transfer of certain, to city	1897	347	1
loan on account of	1897	347	2
lease or sale by city	1915(S)	178	
subway approach at, leasing of parts of, authorized	1912	485	
Huntington Avenue subway, construction, loan, etc.	*1932	306	
	1933	366 (Pt. II)	
	*1935	492	
	1937	159	
Kenmore station, construction	1925	341	
	*1928	403	
	1930	349	
	*1934	268	
	1935	100	
loans, in general, issuance of, special provisions as to	1910	437	
Boylston Street subway	*1907	573	
	1911	741	9
	1925	341	
	1930	394	1
Arlington station	1916(S)	342	13
Bowdoin square, under	1897	500	18
Cambridge Street subway	1897	500	18
commonwealth, Cambridge subway	1924	444	6

SUBWAYS AND TUNNELS — <i>Continued</i>	Year	Chapter	Section
loans — <i>Concluded</i>			
consolidated, payment, application of certain excess			
rentals to	1911	741	37
rentals pledged for payment	1911	741	35
term construed as to certain act	1911	741	35
Court street, under	1897	500	18
Dorchester tunnel	1911	741	4
extension	1923	480	11
East Boston tunnel	1923	480	11
.	1894	548	37
.	1897	500	18
.	*1903	190	
.	*1905	187	
.	1911	741	13
.	1917(S)	373 (Pt. III)	
.	1924	120	
Haverhill and Canal streets, land taking	1897	347	2
Huntington Avenue subway	1933	366 (Pt. II)	
National Industrial Recovery Act, in connection			
with	1933	366 (Pt. II)	5
Riverbank subway	*1907	573	
.	1911(S)	741	8
Sumner tunnel	1929	297	8
.	1932	287	2
.	1935	455	
Tremont Street subway	1893	478	6
.	1894	548	37
.	1895	440	7
.	1897	347	2
.	1897	500	18
.	*1909	315	
.	1924	120	
Washington Street tunnel	1902	534	16
.	1911	741	9
Main street subway, construction	1906	520	
<i>See also, supra</i> , Cambridge subway			
Malden, in, construction	*1913	777 {	{
.		Pts. II	III
.	*1917(S)	364	
.	*1925	123	
National Industrial Recovery Act, construction of, under			
provisions of, etc.	1933	366 (Pt. II)	
.	*1935	492	
.	1937	159	
old provincial state house, entrance to, in	1907	385	
Pleasant street subway, construction	1893	478	2
prepayment areas, establishment	1917(S)	373 (Pt. III)	
rapid transit, act relative to	*1893	481	
Riverbank subway, construction, etc.	*1907	573	
.	*1910	579	
provision for, repealed	1911	741	8
Scollay square station, alterations	*1924	403	
Sumner tunnel, Boston Protective Department, free			
use of	1935	312	
construction	*1928	380	
.	1929	297	
.	1932	287	
.	1935	455	
approaches	1929	297	1
.	1932	287	1
land, etc., taken but not needed for, other use			
for	1931	30	
financial adjustment in connection with	1932	23	

SUBWAYS AND TUNNELS — <i>Continued</i>	Year	Chapter	Section
Sumner tunnel — <i>Concluded</i>			
construction — <i>Concluded</i>			
loans	1929	297	8
	1932	287	2
	1935	455	1
street and traffic improvements in connection			
with	1932	287	
operation	1929	297	9-13
	1932	287	3-5
	1935	74	
	1935	312	
	1935	455	2-4
	1937	93	
operating year, period changed	1935	74	
	1935	93	
tolls and charges	1929	297	8-12
	1932	287	2-5
	1935	455	
transfer areas, establishment	1917(S)	373 (Pt. III)	
Tremont Street subway, Adams Square station, altera-			
tion	1917(S)	335	
alterations in, loans for	1897(S)	500	12
	*1915(S)	87	
	1924	120	
Boylston street, new incline and approach in, con-			
struction	1913	810	3
Cambridge Street subway and, connection	1897	500	5
	1902	114	
construction, etc.	1893	478	
	1894	548	25
	1895	440	
contract for use of, terms, etc.	1893	478	7
	1894	548	35
	1896	492	
extension of, etc.	1911	741	27, 34, 38
damages, recovery of	1893	478	4
	1894	548	34
	1895	440	1
elevated trains, etc., removal from	1902	534	12
enlargement, in connection with certain subway			
construction	1911	741	5
equipment, etc.	1895	440	6
excess rentals, how applied	1911	741	37
lease, etc. (<i>See, supra</i> , contract for use, terms, etc.)			
loans in connection with	1893	478	6
	1894	548	37
Scolly Square station, alterations in	*1924	403	
sewers, wires, etc., in	1893	478	8
	1894	548	36
street railways, use of, by	1893	478	7
subways adjoining, construction of certain	1894	548	27
title of city to	1902	534	19
tracks in, location, etc.	1894	548	35
	1895	440	6
	1896	492	
tunnel district, establishment, etc.	*1928	380	
Washington Street tunnel, construction, etc.	1902	534	
	1904	167	
	1905	460	
	1907	258	
loan for	1902	534	16
payment, provision relative to	1911	741	36

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SUBWAYS AND TUNNELS — <i>Concluded</i>			
Washington Street tunnel — <i>Concluded</i>			
contract for use of	1902	534	10
extension, etc.	1911	741	29, 34, 38
damages, determination of	1902	534	8
elevated railway, considered as a part of	1906	520	26
excess rentals, how applied	1911	741	37
extension to Sullivan square, etc.	*1913	775	
net cost of, determination	1902	534	10
plans for	1902	534	2
to be filed with city engineer	1902	534	2
title of city, in private capacity	1902	534	19
use and control of, subject to rights of West End Street Railway Company	1902	534	15
<i>See also</i> BOSTON ELEVATED RAILWAY COM- PANY; BOSTON TRANSIT COM- MISSION; SUBWAY COMMIS- SIONERS, BOARD OF; TRANSIT DEPARTMENT			
SUDBURY RIVER			
improvements in	*1892	434	
SUFFOLK COUNTY			
administration of justice in, regulated	*1821	109	
	*1822	12	
	1831	65	
agriculture, trustees for county aid to, appointment, powers, duties, etc.	1919(G)	75	
auditing accounts of	*1879	256	
board of accounts, aldermen to constitute	*1866	117	
Brighton made a part of	1873	303	
	1873	368	
Brookline, portion of, made part of	1874	220	
budget, provision as to	1909	486	3
buildings, certain, of, exempt from building law	1907	550	10
	1923	462	5
exemption removed	1931	250	1
Charlestown made part of	1873	286	
Chelsea, continuance, as part of, provisions as to	1831	65	
court houses, etc., in, transfer to Boston	1831	65	
clerks of courts, etc., in, fines, etc., received by, duties as to	*1891	236	
court house (<i>See</i> SUFFOLK COUNTY COURT HOUSE)			
courts, establishment, etc., in, acts relative to	*1821	109	
	*1822	12	
	1831	65	
Dorchester, town of, made part of	1869	349	
employees (<i>See, infra</i> , officers and employees)			
estimates of expenditures, submission by certain offi- cials	1909	271	
	1909	486	3
	1910	373	
federal aid benefits, excepted from provisions of certain act enabling counties to secure	1935	404	
finances and expenses of, apportionment, etc., com- mission for	*1913	470	
fines, etc., received by clerks and other officers of, disposition	*1891	236	
house of correction (<i>See</i> CORRECTION, HOUSES OF)			
Hyde Park made a part of	1911	469	
	1911	583	
county records, furnishing of certain to	*1912	286	
jail, additions, etc., to	1900	473	4

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SUFFOLK COUNTY — <i>Concluded</i>			
money paid to city collector, use for general purposes, of certain sum of	1937	128	
mortuaries in, provision for, etc.	1911	252	
	1912	631	
officers and employees, estimates of expenditures, sub- mission by certain officials	1909	271	
	1909	486	3
	1910	373	
retirement of (<i>See</i> RETIREMENT SYSTEM)			
salaries, annual increments of, restored	*1934	228	
reductions in	1933	121	
partial restoration	*1934	289	
probation of certain persons in, relative to	*1878	198	
public buildings, erection, alteration, etc., for use of, provisions as to	*1852	266	
public institutions (<i>See</i> PUBLIC INSTITUTIONS)			
reformatory (<i>See</i> SUFFOLK COUNTY REFORMA- TORY)			
Roxbury, city of, made part of	1867	359	
school for truants in (<i>See</i> PARENTAL SCHOOL)			
scrubwomen in employ of, exempt from salary reduc- tion act	1933	121	7A
sheriff, court house, duties as to	1922	525	
expenses, etc., estimates of, to furnish mayor and auditor	1909	271	
	1910	373	
jail, additions, etc., to, to prepare plans for	1900	473	3
taxes, assessment of	*1822	85	
	1854	448	36
separate assessment, authorized	1909	490 (Pt. I)	52
West Roxbury made part of	1873	314	
	1873	368	
SUFFOLK COUNTY COURT HOUSE			
addition to, construction	*1929	368	
	1935	474	
	1937	181	
commission to provide for, appointment, etc.	1935	474	1
powers and duties	1935	474	2-5
contracts for	1935	474	3
expenditures for	1935	474	4
apportionment	1935	474	4
loans to meet	1935	474	5
	1937	181	
temporary borrowing in connection with	1937	181	
federal funds, requirement as to	1935	474	7
height, volume and set-back	1936	60	
	1937	238	
location, etc., determination	1935	474	2
maintenance and operation	1935	474	6
pent houses, etc., above roof line of, authorized	1937	238	
board of commissioners of, powers, duties, etc.	1885	377	
	1886	122	
	*1887	101	
building law, exemption	1907	550	10
	1923	462	5
removed	1931	250	1
care, custody, etc., of	1894	453	
	1922	525	
construction, etc.	*1880	128	
	1885	377	
	1886	122	
<i>See also, supra</i> , addition to, construction custodian, appointment, term, etc.	1894	453	

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SUFFOLK COUNTY COURT HOUSE — <i>Concluded</i>			
enlargement	*1906	534	
	*1907	209	
	*1908	215	
	*1909	96	
fireproof accommodations for public records in	*1908	603	
furnishing, loan for	*1892	288	
land for, release of certain parcel heretofore taken	*1886	195	
taking, etc.	*1867	306	
	*1880	128	
	1885	377	
	1886	122	
loans for	1885	377	
	1887	101	
	1892	288	
maintenance, annual estimates as to, furnishing by officers in charge of	1909	271	
	1910	373	
registries of deeds and probate, accommodations for, in	1886	122	
SUFFOLK COUNTY REFORMATORY			
establishment	1896	536	
provision for, repealed	1899	347	4
SUFFOLK SCHOOL FOR BOYS			
disciplinary day schools, commitment of certain of- fenders in, to	1914	738	6
age limit increased	1916(S)	88	
established	*1901	359	
	1906	150	
name of house for the employment and reformation of juvenile offenders changed to	1906	150	
temporary permits for liberty to boys at	1917(S)	200	
SUMMER STREET			
South Boston, in, widening, etc., loan	*1930	264	
	*1931	116	
	*1932	176	
SUMNER STREET			
East Boston, in, grade crossing on, alteration	*1899	390	
SUMNER TUNNEL			
Boston Protective Department, vehicles owned by, use without charge	1935	312	
construction	*1928	380	
	1929	297	
	1932	287	
	1935	455	
approaches	1929	297	1
	1932	287	1
lands, etc., acquired but not needed for, use for other municipal purposes, authorized	1931	30	
financial adjustments in connection with	1932	23	
loans	1929	297	8
	1932	287	2
	1935	455	1
street and traffic improvements in connection with operation	1932	287	
	1929	297	9-13
	1932	287	3-5
	1935	74	
	1935	312	
	1935	455	2-4
	1937	93	
operating year, period changed	1935	74	
	1937	93	
tolls and charges	1929	297	8-12
	1932	287	2-5
	1935	455	

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SUPERINTENDENT OF CONSTRUCTION			
See SCHOOL BUILDINGS, DEPARTMENT OF, construction, superintendent of			
SUPERINTENDENT OF SCHOOLS			
See SCHOOLS, SUPERINTENDENT OF			
SUPERINTENDENTS, BOARD OF			
See SCHOOLS, BOARD OF SUPERINTENDENTS OF			
SUPREME JUDICIAL COURT			
Suffolk county court house, custody and control of, by justices	1894	453	
SURFACE DRAINAGE			
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SURVEY, BOARD OF			
abolished, etc.	1895	449	23
	1896	204	
establishment, etc.	*1891	323	
	*1892	418	
powers and duties, transferred to board of street com- missioners	1895	449	23
	1896	204	
term extended	*1894	335	
SURVEYING DEPARTMENT			
abolished	1895	449	21
SURVEYOR, CITY			
office abolished	1895	449	21
powers and duties transferred to city engineer	1895	449	21
street commissioners, board of, surveys, etc., for, to furnish	1870	337	7
subway plans to be filed with	1894	548	28
SURVEYORS OF HIGHWAYS			
act relative to	*1823	2	
aldermen, board of, to constitute	1854	448	41
macadamizing of streets, powers as to	*1831	17	
sidewalks, powers and duties as to	*1833	128	
streets, paving, etc., powers as to	1799	31	
	*1831	17	
removal of merchandise, etc., from, powers as to	1799	31	6
SWETT STREET			
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picture entitled, taking of, for educational purposes	*1922	541	
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act repealed	*1924	220	

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TAR KETTLES			
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TAX LIMIT			
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	*1887	281	
	*1900	399	
all acts or part of acts imposing, repealed	1936	224	1
decreased	1928	382	2
established	*1910	521	
increased	*1913	719	18
	1915(S)	184	2
	1916(S)	267	2

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TAX LIMIT — <i>Concluded</i>			
increased (<i>concluded</i>)	1918(S)	120	
	*1919(S)	172	
	1919(S)	206	10
	1919(S)	249	4
	*1920	641	
	*1923	488	
	*1925	309	
	*1925	327	
	*1926	153	
	*1926	314	
	*1928	237	
	*1929	239	
	*1929	256	
	*1930	264	
	*1930	283	
TAXES			
abatement of, certain poll taxes	1920	552	3
powers of board of aldermen as to, transferred to board of street commissioners	1870	337	2
provisions relative to	1934	353	
uncollectible taxes, provisions for	*1916(S)	291	
	1934	353	
Adams, Samuel, taxes uncollected by, collection of	*1769-70	3	
apportionment of, overlay, authority of assessors as to, defined	1913	823	
	1918(G)	257	37
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	*1857	275	
	*1909	440	
	1909	486	62
powers and duties of assessors (<i>See</i> ASSESSING DEPARTMENT)			
provision for certain	*1708-09	6	
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	*1766-67	6	
	*1767-68	8	
	*1769-70	1	
	*1770-71	7	
	*1773-74	14	
	*1774	8	
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"sixty persons" pension provisions, for certain annui- tants of	1910	617	3
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			6
			19

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	1889	450	6
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	1930	394	
	1935	100	
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	*1935	492	
	1937	159	
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	1932	23	
land, etc., acquired but not needed for, powers and duties as to	1931	30	
	1932	23	
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Hyde Park, incorporated, etc.	1920	613	
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	1914	364	
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	1909	332	
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	1909	332	
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	1888	402	
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	1910	617	3
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transit commission, powers and duties of, to be exercised by, etc.	1918(S)	185	
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Cambridge street subway and, connection	1897	500	5
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	1894	548	35
	1895	440	6
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	1895	440	1
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	1894	548	37
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rights of commonwealth over, city to exercise	1892	371	4
waters of, protection from pollution	1892	371	4
WARREN BRIDGE			
acts relative to	*1842	48	
	*1855	253	
	*1868	322	
	*1882	138	
agent and draw-tenders, relative to	*1859	186	
approaches to, construction, etc.	1894	548	30
	1927	195	
care, maintenance, etc.	*1874	259	
control of	1894	548	30
draw in, widening, etc.	*1869	272	
	*1870	303	
	*1870	401	
established	*1827	127	
	*1832	219	
	*1835	155	
	*1841	88	
interest of commonwealth in, transferred to city	1883	140	2
land at end of, sale authorized	*1869	272	
location, change of	1883	140	1
reconstruction, etc.	*1880	125	
	1883	140	
	1894	548	30
	1927	195	1
repair, etc., of	*1854	451	
	*1870	303	
superintendence of	*1867	66	
WARREN BRIDGE CORPORATION			
established	*1827	127	
	*1832	219	
	*1835	155	
	*1841	88	
WARREN CEMETERY			
disposal of, authorized	*1920	66	
taking of, for school purposes, validated	*1927	78	

	Year	Chapter	Section
WASHINGTON STREET			
Adams Square station, alteration, as affecting . . .	*1931	169	
Dorchester district, in, park land on, conveyance of certain . . .	*1936	153	
nuisance on certain lands adjoining, abatement of . . .	*1868	277	
	*1871	108	
	*1873	340	
occupation of portion, Boston Elevated Railway Company, by . . .	1894	548	22
parcel of land bounded by Lovering place, etc., and, exempted from certain restrictions . . .	1914	786	
street car tracks, removal, on portion . . .	1902	534	14
West Roxbury, in, highway extending to Blue Hill avenue from, construction, maintenance, etc.	1930	420	2, 16
route altered	1931	454	
lands, certain, on, sale to Harvard College . . .	*1901	187	
layout and construction as state highway . . .	*1907	574	
	*1910	527	
reconstruction, etc.	*1914	641	
widening, extension, etc.	*1913	799	
widening of portion, loan	*1913	695	
	1917(S)	111	
WASHINGTON STREET TUNNEL			
construction, etc.	1902	534	
	1904	167	
	1905	460	
	1907	258	
loan for	1902	534	16
payment, provision relative to	1911	741	36
contract for use	1902	534	10
extension, rental, etc.	1911	741	29, 34, 38
damages, determination of	1902	534	8
elevated railway, considered as a part of	1906	520	26
excess rentals, how applied	1911	741	37
extension, to Sullivan square, etc.	*1913	775	
title of city to	1902	534	19
WATCH DEPARTMENT			
establishment, etc.	*1761-62	5	
	*1801	26	
	*1833	62	
	*1834	139	
powers and duties of watchmen, transferred to police department	1853	354	
united with police department	1853	354	1
WATER			
acts relative to	1846	167	
	*1848	33	
	*1849	187	
	*1850	316	
	*1851	121	
	*1858	86	
	1864	271	
	*1872	177	
	*1873	28	
	*1875	168	
	*1877	5	
	*1881	129	
	*1886	351	
	*1893	459	
agreements with Somerville, Everett and Chelsea, relative to, validation of certain	*1886	351	
Boston reservoir property, sale to Brookline	*1903	310	
Boston water board, abolished	1895	449	12
agreements, certain, validated	*1886	351	

	Year	Chapter	Section
WATER — Continued			
Boston water board — <i>Concluded</i>			
established	*1874	179	
	1875	80	
police employed by, control, etc., of	1895	449	26
powers and duties	1875	80	1, 2
transferred to water commissioners	1895	449	13
rates, establishment by	1875	80	1
salaries of members	1875	80	3
Boston water scrip, issuance, etc., regulated	1846	167	
term construed	1875	80	
Brookline, Boston may lay pipes in	*1880	126	
sale of water to Boston	*1875	127	
Cambridge, Boston authorized to lay pipes in	*1880	126	
Charlestown, acts relative to	*1860	217	
	1861	105	
	*1863	9	
	*1864	176	
	*1865	135	
	*1866	212	
	*1870	216	
	*1871	159	
	*1872	85	
land in Winchester used for, conveyance, authorized	*1897	377	
sale, to Chelsea by	*1865	144	
<i>See also, infra</i> , Mystic Pond, of, Charlestown			
Chelsea, may buy water from Charlestown	*1865	144	
validation of certain agreements	*1886	351	
Chestnut Hill reservoir, construction etc.	*1865	131	
Cochituate water board, abolished	1875	80	2
established	1846	167	
powers and duties	1846	167	
Deer island, city may supply	1869	193	
East Boston, pipes, laying, etc., of certain, to	*1849	201	
Farm pond, of, taking, etc.	*1872	177	
	*1875	168	
Fisher Hill reservoir, taking by metropolitan water and sewerage board	*1912	694	
high pressure fire service, establishment, etc.	1911	312	
	*1915(S)	326	
	1916(S)	175	
income from water system, disposition	1846	167	11-13
	*1877	5	
	1892	213	
	1895	206	
	1898	427	
	1914	324	
Jamaica Pond Aqueduct Corporation, incorporated	*1857	135	
purchase of property, etc., of	1846	167	16
	*1886	199	
	1892	371	
Lake Cochituate, of, aqueducts, etc., construction	1846	167	2
	1864	271	
commissioners, appointment, etc.	1846	167	3
compensation	1846	167	4
powers, etc.	1846	167	1, 2, 3
to be exercised by city after completion, etc.	1846	167	5
dam at outlet of lake, raising	*1859	184	
damages, recovery of	1846	167	7
	*1849	187	
	*1850	316	
tender, etc.	1846	167	6, 7, 8
of compensation for	*1850	316	

	Year	Chapter	Section
WATER — <i>Continued</i>			
Lake Cochituate, of — <i>Concluded</i>			
damages — <i>Concluded</i>			
time for instituting proceedings	1846	167	8
	*1849	187	
	*1850	316	
diverting, penalty for	*1861	220	
land takings, etc., recovery of damages	1846	167	6
	*1849	187	
	*1850	316	
loans	1846	167	9, 10
	*1848	33	
	*1849	187	
	*1873	287	
mill dam, pipes in, laying, etc.	1864	271	
Moon and Long islands, furnishing to	1889	74	
Natick, Framingham, Sherburne and Wayland,			
may use	1846	167	14
Parker hill reservoir, construction, etc.	*1873	287	
penalties, illegally diverting, etc.	1846	167	15
	*1861	22	
pipes, etc., laying	1846	167	2
	1864	271	
pollution, prevention of	*1875	228	
railroads may tap pipe at Charlestown	*1854	353	
rates, owner and occupant liable	1846	167	14
reduction of	1846	167	13
proceedings for	1846	167	13
regulated	1846	167	11
	*1877	5	1
recovery for use of, without consent of city	1846	167	14
reservoirs, construction, etc.	1846	167	1
	*1865	131	
	*1871	185	
sinking fund, established	1846	167	11
	*1877	5	
taking, etc.	1846	167	1
	*1859	222	
tide waters, restriction of control over	*1851	121	
loans for	1846	167	9
	*1848	33	
	*1849	187	
	*1873	281	4
restricted	1898	427	3
	1903	191	2, 3
sinking fund for, use of interest on securities in	1898	427	
	1903	191	2
	1914	324	
Long Island, supply to	1889	74	
main water and supply pipes owned by city, taking of			
certain, by metropolitan water sewerage			
board	*1912	694	
Medford, Boston authorized to lay pipes in	*1880	126	
meters, authorized	1881	205	
installation	*1917(S)	269	
	*1918(S)	45	
metropolitan water supply, assessments on account of,			
use of certain water income for	1898	427	
	1903	191	2
	1914	324	
provision for	*1895	488	
Moon island, supply	1889	74	
Mystic pond, of, Charlestown, aqueducts, etc., for,			
construction	1861	105	2
Boston, Chelsea, and certain towns, supply to,			
by	1861	105	15
	*1865	144	

	Year	Chapter	Section
WATER — <i>Continued</i>			
Mystic pond, of — <i>Concluded</i>			
Charlestown — <i>Concluded</i>			
commissioners, for, appointment	1861	105	3
	*1870	216	
compensation	1861	105	4
powers, etc.	1861	105	5
removal	1861	105	3
	*1870	216	
reports	1861	105	3
term	1861	105	3
vacancy in office of	1861	105	3
erection of dam, by	1861	105	1
loans for	1861	105	11
	*1864	176	
	*1865	135	
	*1870	216	
	*1871	159	
	*1872	85	
pipes, etc., for, laying	1861	105	2
powers as to	1861	105	2
reservoirs, construction, etc., by	1861	105	1
Somerville and, Malden, supply to	*1866	212	
Medford, erection of hydrants, etc., in	1861	105	16
taking, etc., by	1861	105	1
use of, regulation by	1861	105	2
water works, erection, etc.	1861	105	1
Chelsea, Charlestown may supply to	*1865	144	
damages, relative to	1861	105	
flow of tide not to be interrupted	1861	105	1
rates, city council may regulate	1861	105	13
owners and occupants, liability of	1861	105	13
regulations as to	1861	105	12
	*1870	216	
water works, injuries to, penalties	1861	105	14
Mystic Valley, of, Boston may take	*1874	400	
Mystic water board, abolished	1875	80	2
established	1865	105	3
powers and duties	1865	105	
Neponset river, pipes across, laying, etc.	1889	74	
Pine island, pipes, etc., to, laying, etc.	*1869	447	1
pipes, location, etc., in highways, regulated	1906	393	10
police on grounds used for water supply, control, etc.	1895	449	26
rates, disposition of income received from	1846	167	11-13
	*1877	5	
	1892	213	
	1895	206	
	1898	427	
	1914	324	
fixing	1846	167	11
	1892	213	1
	1895	206	1
	1895	449	13
reservoirs, Brookline, sale of certain, to	*1903	310	
Chestnut Hill, construction, etc.	*1865	131	
construction, etc.	1846	167	1
	1861	105	1
	*1871	185	
	*1881	129	
Fisher hill, taking by metropolitan water and sewerage board	*1912	694	
Parker hill, at, construction, etc.	*1873	287	
Roxbury, Boston and Charlestown may supply	*1867	343	
canal, pipes across, laying, etc.	1869	447	1
sinking fund commissioners, certain payments to	1898	427	
	1914	324	

	Year	Chapter	Section
WATER — Concluded			
Somerville, agreements, certain, with, validated	*1886	351	
Boston authorized to lay pipes in	*1880	126	
South bay, pipes across, laying, etc.	*1869	447	
Southborough and Boston, agreement between, vali- dated	*1894	108	
Sudbury river, Hopkinton may take from	*1875	168	
Moon and Long islands, supply to	1889	74	
taking, etc., from	*1872	177	
	*1875	168	
WATER COMMISSIONER			
appointment, term, etc.	1895	449	12
powers and duties	1895	449	13
salary	1895	449	12
WATER COMMISSIONERS, BOARD OF			
abolished	1895	449	12
WATER COURSES			
improvement, for sewerage purposes, expense of, pro- vision for	1915(S)	108	
taking, diversion, etc., in connection with sewer con- struction	1873	205	
	1897	426	2, 3
damages, payment	1873	205	
	1897	426	5
	1899	450	2
WATER DEPARTMENT			
commissioner, to be in charge of	1895	449	12
<i>See also</i> WATER COMMISSIONER			
established	1895	449	2
<i>See also</i> WATER			
WATER INCOME DEPARTMENT			
abolished	1895	449	12
<i>See also</i> WATER, income from water system			
WATER METERS			
authorized	1881	205	
installation	*1917(S)	269	
	*1918(S)	45	
WATER RATES			
<i>See</i> WATER, rates			
WATER REGISTRAR			
office abolished	1895	449	12
powers and duties transferred to water commissioner	1895	449	13
WATER SUPPLY			
<i>See</i> WATER			
WATER SUPPLY COMMISSION			
establishment	*1872	366	
WATER SUPPLY DEPARTMENT			
abolished	1895	449	12
<i>See also</i> WATER DEPARTMENT			
WATERING OF STREETS			
provision for	1899	366	
WATERFRONT STRANDWAY			
construction, etc., loan	1931	422	3
WAYLAND			
water of Long pond, may use	1846	167	14
WEBSTER STREET			
grade crossing on, alteration	*1899	390	
WEEKS BRIDGE			
construction	*1925	329	
funds for, management, etc.	*1925	329	
maintenance	*1925	329	

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WEIGHTS AND MEASURES			
regulation of	1817	50	
sealer of, in town of Boston, duties	1817	50	1, 2
fees	1817	50	2
penalties	1817	50	2
unsealed, penalties for using	1817	50	2
disposition of	1817	50	3
WESTBOROUGH			
Sudbury river, in, improvements in	*1892	434	
WEST BOSTON BRIDGE			
corporation to build	*1791	62	
	*1792	21	
	*1792	87	
draw in, widening, etc..	*1869	311	
	*1870	302	
	*1870	401	
	*1871	250	
replaced by Cambridge bridge	1898	467	
widening, etc.	*1889	366	
<i>See also</i> CAMBRIDGE BRIDGE; LONGFELLOW BRIDGE			
WEST CAMBRIDGE			
part of Charlestown, annexed to	*1842	24	
WEST CHESTER PARK			
extension of	*1889	254	
WEST END STREET RAILWAY COMPANY			
Boston Elevated Railway Company may lease, etc.	1894	548	17
	1897	500	11
elevated railroads, may build	*1890	454	
	*1891	365	
subways, assignment of lease of	1897	500	12
use of, by	1893	478	7, 13
	1897	500	12, 13
	1902	534	15
<i>See also</i> BOSTON ELEVATED RAILWAY COMPANY			
WEST ROXBURY DISTRICT			
established	1873	314	
	1873	368	
Harvard street, widening of, taking of certain state land in, for	*1915(S)	91	
Hyde Park avenue, Brandon street and Belgrade avenue, in, improvement	*1903	370	
	*1908	437	
municipal building and courthouse, construction, etc., in	*1912	338	
parkway in, construction of certain, loan for	1930	420	
	1931	454	
Walter street, widening, etc.	*1892	292	
	*1901	488	
	*1904	192	
Washington street in (<i>See</i> WASHINGTON STREET, West Roxbury, in)			
<i>See also</i> WEST ROXBURY, TOWN OF			
WEST ROXBURY PARKWAY			
care, control, etc., transferred to, metropolitan district commission	*1927	272	
metropolitan park commission	1915(G)	270	
parkway from Centre street to, construction, etc., loan	1930	420	
	1931	454	
WEST ROXBURY, TOWN OF			
annexed to Boston	1873	314	
	1873	368	
boundary between Boston and, changed	*1870	146	
cemetery in, act relative to	*1856	124	
incorporated	*1851	250	

	Year	Chapter	Section
WEST ROXBURY, TOWN OF — <i>Concluded</i>			
Mount Hope cemetery in, annexed to Boston	1872	197	
Stony Brook, improvement by Boston and	1868	223	
	1870	220	
	1871	340	
<i>See also STONY BROOK</i>			
WESTERN AVENUE AND ARSENAL STREET BRIDGE			
care, control, etc.	1921	497	13, 15
construction	1921	497	
approaches	1921	497	3
cost, apportionment	1921	497	5
	1926	327	1
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
state notes to meet	1921	497	4
terms of	1921	501	
damages for, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
WESTERN AVENUE BRIDGE			
approaches, relative to	1921	497	3
	1931	423	
care, control and maintenance	1921	497	14, 15
	1931	423	
construction	1921	497	
approaches	1921	497	3
cost, apportionment	1921	497	5
bond issue to meet share of	1921	497	8
how paid	1921	497	4
maximum	1921	497	4
state notes to meet	1921	497	4
terms of	1921	501	
damages, how determined	1921	497	12
how paid	1921	497	4
plans, specifications, etc.	1921	497	1
draw in, construction	1838	166	
widening	*1888	230	
reconstruction, etc., of original bridge	*1862	65	
WHARVES			
in general, building law, exempted from	1907	550	9, 10
fire not to be carried in, without, etc.	1817	171	10
merchandise, hoisting, etc., on, regulated	1816	90	4
rafts, etc., not to be attached to, except, etc.	1862	73	
Atlantic avenue, inclosed by, filling, etc., of, prevention of nuisance in	*1869	181	
Boston and Roxbury Mill Corporation may extend its wharf	*1844	58	
Boston Wharf Company, construction of certain, etc.	*1854	218	
streets and sewers on land of, construction, authorized	*1854	218	
Cambridge bridge, above, owners may recover certain damages	*1902	464	
Commercial wharf, extension	*1847	145	
East Boston flats, construction, etc., at Condor street on	*1853	266	
South Boston, in, between M and O streets, extended	*1871	273	
WHEAT			
standard of, regulated	*1762-63	19	
WHITE FUND			
demonstrations, lectures, contests, etc., at works constructed under, charging of admission fees, authorized	1937	111	
park land, certain, in Back Bay Fens, transfer to trustees of	1937	258	

	Year	Chapter	Section
WHITE, GEORGE ROBERT			
<i>See</i> WHITE FUND			
WIDOWS			
scrubwomen, registering for, granting of preference to	1923	476	
WILLIAM AMERENA PLAYGROUND			
transfer to school committee	1923	308	
WILLIAMS MARKET			
incorporated	*1849	243	
WINCHESTER			
land in, used for water works, conveyance of certain	*1897	377	
WINNISIMMIT			
Chelsea, made part of	*1738-39	17	
ferry between Boston and, regulated	*1711-12	8	
	*1749-50	2	
WINTHROP			
Boston may lay water pipes through	1869	193	
county purposes, not to be taxed for	1909	490	52
united with Boston	*1874	322	
WIRE DEPARTMENT			
certain acts to apply to	1894	454	1
commissioner of wires (<i>See</i> WIRES, COMMISSIONER OF)			
established	1894	454	
WIRES AND ELECTRICAL APPLIANCES			
in general, supervision and inspection	1894	454	1
	1898	268	
board of appeal, chairman of, city engineer to be	1894	454	12
decisions of commissioner of wires, may review	1894	454	12
established	1894	454	12
hearings before	1894	454	12
notice of	1894	454	12
membership	1894	454	12
petitions to	1894	454	12
when to be filed	1894	454	12
powers and duties	1894	454	12
buildings, in, installation and inspection	1898	268	
	1908	339	
	1915(S)	262	
	1936	111	
board of appeal, certain powers and duties relative to	1907	550	7
commissioner of wires, may shut off current, when	1898	268	3
to be sole judge as to requirements	1898	268	2
current, not to be turned on until, etc.	1898	268	1
	1936	111	
to be turned off, when	1898	268	3
	1936	111	
fire commissioner may shut off current, when	1936	111	
licenses and permits for	1898	268	
fees for	1915(S)	262	
notification of wire commissioner	1898	268	1
penalty for failure	1908	339	
rules and regulations as to	1898	268	2
violations of, proceedings upon	1936	111	
unsafe wiring, remedying of	1898	268	3
high tension wires, regulated	1911	371	
locations of conduits, wires, poles, etc., alterations in,			
may be directed	1915(S)	268	
hearings in connection with	1915(S)	268	
permits for, granting of	1909	486	28
	1915(S)	268	
statements relative to, filing	1894	454	10
long distance telephone wires, not to be removed	1894	454	9
term defined for certain purposes	1894	454	9

	Year	Chapter	Section
WIRES AND ELECTRICAL APPLIANCES—Concluded			
overhead wires, regulation of	1894	454	7
buildings, height above	1894	454	7
streets, in, removal and placing underground, acts providing for	1894	454	
	*1898	249	
	*1908	347	
	*1911	364	
	*1916(S)	196	
	*1921	196	
	*1926	240	
	1931	101	
	1936	110	
district for	1894	454	2
emergency provision	1894	454	3
enforcement provisions	1894	454	13
exemptions from requirements as to	1894	454	6, 9
expenses of, collection by city, when	1894	454	3
intent of act	1894	454	2
lamp posts, etc., exempt from	1894	454	9
locations, etc., filing of statement as to	1894	454	10
permits for	1915(S)	268	
long distance telephone wires, exempt from	1894	454	9
term defined in connection with	1894	454	9
maps, filing of certain, in connection with	1894	454	5
notice relative to	1894	454	2
opening of streets in connection with, permits for	1894	454	11
paving of streets in connection with	1894	454	4
permits for deviations from requirements as to, poles, conduits, cables, etc., exemption of certain	1894	454	6
included within provisions as to	1894	454	9
proceedings upon neglect or refusal to comply with requirements as to	1894	454	1, 2
street railway wires exempt	1894	454	8
	1931	101	2, 9
temporary provision for	1894	454	3
subway routes, along, regulations for	1894	548	36
subways, may be placed in	1894	454	2
transmission of high tension currents, for, regulated	1911	371	
trolley wires, etc., not to be removed	1894	454	9
	1931	101	3
underground system of (<i>See, supra</i> , streets, in, removal and placing underground)			
WIRES, COMMISSIONER OF			
acts relating to departments, etc., to apply to	1894	454	1
appeals from decisions of, board of appeal for	1894	454	12
	1907	550	7
<i>See also</i> WIRES AND ELECTRICAL APPLIANCES, board of appeal			
appointment, etc.	1894	454	1
building law, effect on powers of	1907	550	10
danger, may abate or remove certain	1894	454	8
fees, charging by	1915(S)	262	
general supervision and inspection of all wires, etc., to have	1894	454	1
	1898	268	
high tension currents of electricity, regulation of transmission of, duties as to	1911	371	
installation and inspection of wires, etc., in buildings, powers and duties as to	1898	268	
	1908	339	
	1915(S)	262	
	1936	111	
<i>See also</i> WIRES AND ELECTRICAL APPLIANCES, buildings, in			

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WIRES, COMMISSIONER OF — <i>Concluded</i>			
maps, etc., filing of certain, with	1894	454	5
notices, certain, to be given by	1894	454	2, 4
notification of installation of wiring, etc.	1898	268	1
penalty for failure	1908	339	
orders of, appeal from, provision for	1894	454	12
	1907	550	7
<i>See also</i> WIRES AND ELECTRICAL APPLI-			
ANCES, board of appeal			
overhead wires, regulation by	1894	454	7
permits for deviations from general requirements, grant-			
ing by	1894	454	5
powers and duties in general	1894	454	
	1898	268	
	1908	339	
	1915(S)	262	
	1915(S)	268	
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ZONING ADJUSTMENT, BOARD OF

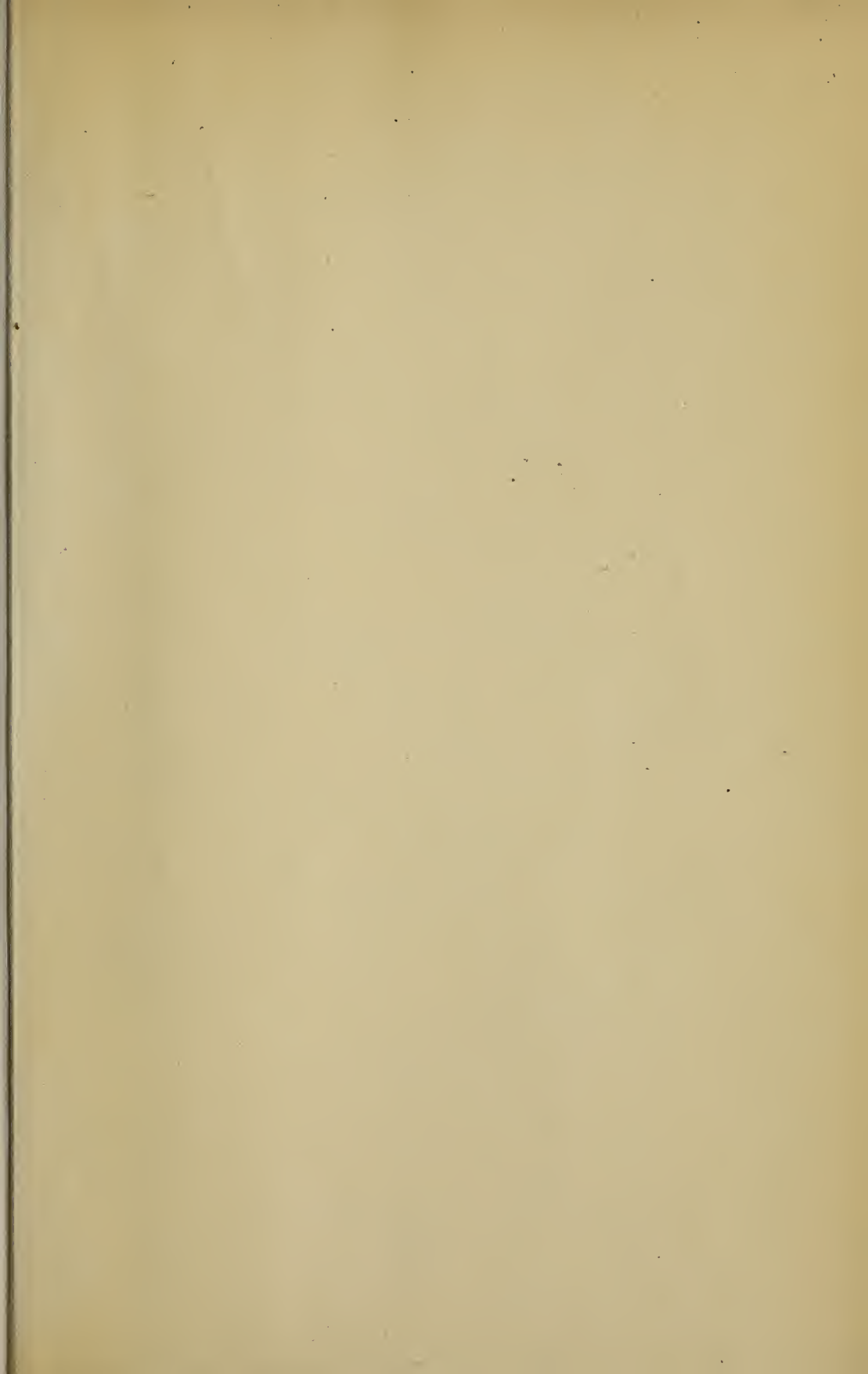
See ZONING LAW, zoning adjustment, board of
ZONING LAW

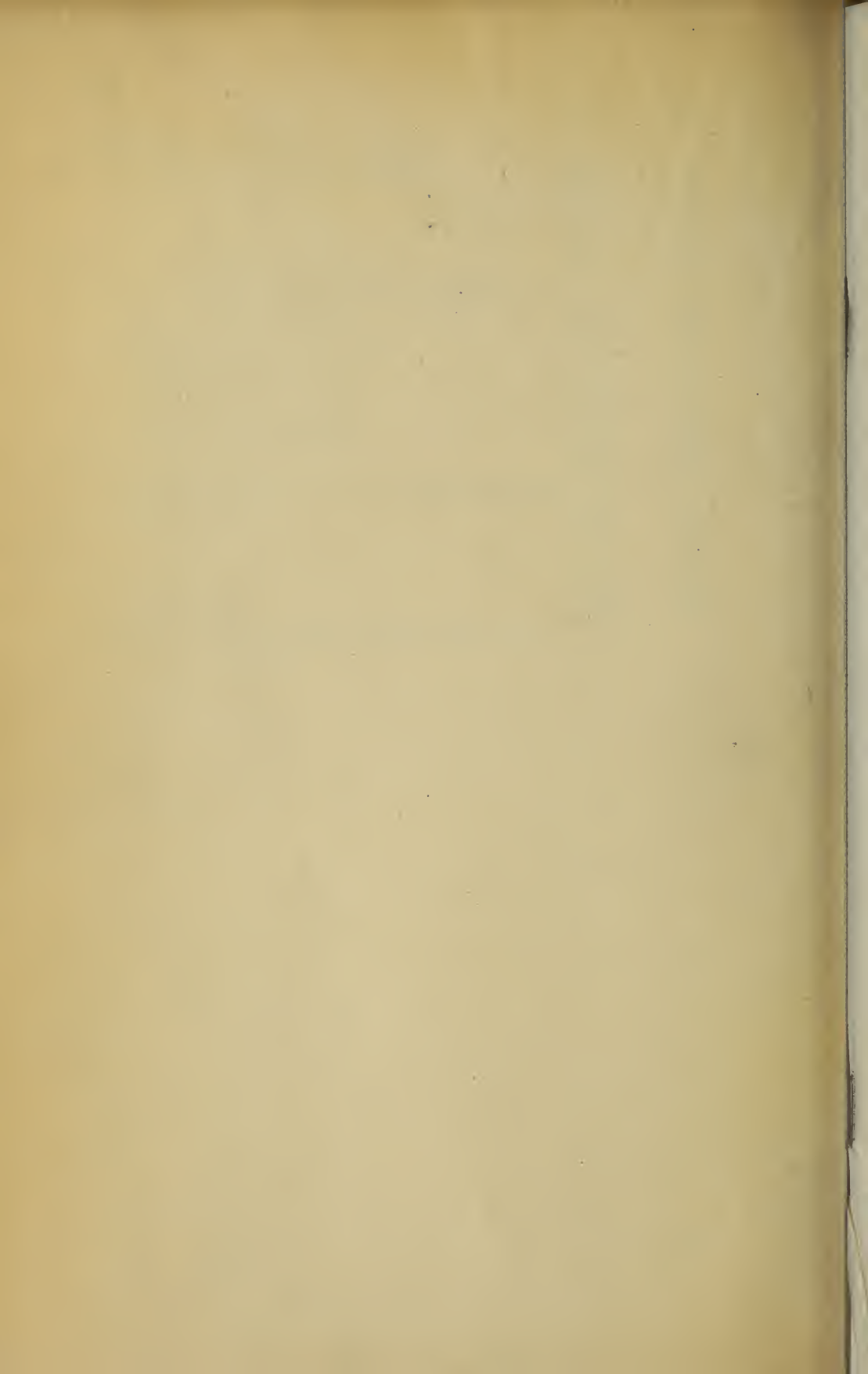
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Director of Law

SPECIAL LAWS
OF THE
COMMONWEALTH OF MASSACHUSETTS
RELATING TO THE
CITY OF BOSTON

1943 CUMULATIVE SUPPLEMENT

CONTAINING ALL OF THE SPECIAL LAWS OF THE COMMONWEALTH
OF MASSACHUSETTS RELATING TO THE CITY OF
BOSTON FROM 1938 TO 1943.

COMPILED AND EDITED BY THE LAW DEPARTMENT OF THE CITY OF BOSTON
UNDER THE DIRECTION OF THE CORPORATION COUNSEL.

This supplement contains the Special Laws of the Commonwealth of Massachusetts relating to the City of Boston enacted by the General Court, since the publication of the original volumes, during the Annual Session of 1938, the Biennial Session of 1939, the Biennial Session of 1941, the Special Session of 1942 and the Biennial Session of 1943, together with references showing amendments, repeals or other changes to prior acts relating to the City of Boston resulting from the enactment of the acts herein set forth. Pertinent decisions of the Supreme Judicial Court of the Commonwealth of Massachusetts rendered since the publication of the original volumes, including the decisions reported in Massachusetts Reports, Volume 312, are also shown.

Always consult the latest supplement, under the corresponding chapters and sections, for changes and decisions since the publication of the original volumes.

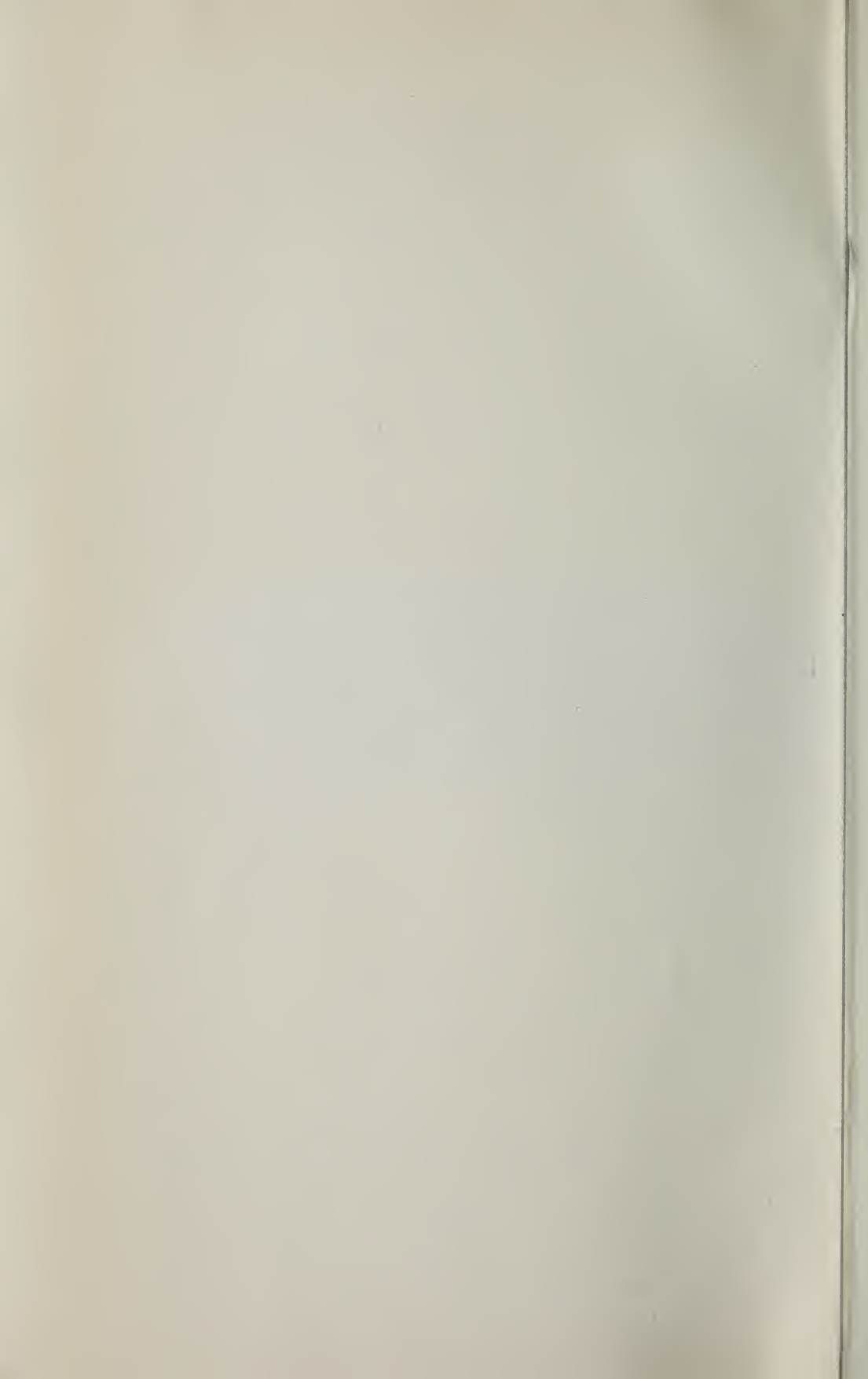
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SPECIAL LAWS RELATING TO THE CITY OF BOSTON.**

DISCARD PREVIOUS SUPPLEMENTS.

CITY OF BOSTON
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1943

Boston Corporation Counsel
Oct. 20, 1943



SPECIAL LAWS

RELATING TO THE

CITY OF BOSTON

1943 CUMULATIVE SUPPLEMENT

1771-72.— CHAPTER 20.

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TOWN OF BOSTON.

303 Mass. 544 note.

1821.— CHAPTER 110.

AN ACT ESTABLISHING THE CITY OF BOSTON.

Section 15, 306 Mass. 67, 70.

1854.— CHAPTER 448.

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Section 35, 306 Mass. 67, 70.

1875.— CHAPTER 185.

AN ACT FOR THE LAYING OUT OF PUBLIC PARKS IN OR NEAR THE
CITY OF BOSTON.

See 1941, ch. 585, as amended by 1943, ch. 200.

1875.— CHAPTER 241.

AN ACT TO REORGANIZE THE SCHOOL COMMITTEE OF THE CITY OF
BOSTON.

309 Mass. 106.

1878.— CHAPTER 114.

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Section 2, Amended, 1943, ch. 218.

1885.—CHAPTER 266.

AN ACT TO AMEND THE CHARTER OF THE CITY OF BOSTON.
Section 6, Amended, see 1941, ch. 604, s. 2.

1889.—CHAPTER 320.

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TO THE MAKING OF PAYMENTS AND INCURRING OF LIABILITIES
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Repealed, 1941, ch. 604, s. 2.

1890.—CHAPTER 418.

AN ACT RELATING TO OFFICERS AND DEPARTMENTS IN THE CITY OF
BOSTON.

302 Mass. 251; 303 Mass. 518.
Section 6, Amended 1939, ch. 156, s. 2.

1892.—CHAPTER 347.

AN ACT IN RELATION TO PENSIONING MEMBERS OF THE FIRE DEPART-
MENT OF THE CITY OF BOSTON.

Section 1, Amended 1939, ch. 237, s. 1; See 1939, ch. 237, s. 2.

1893.—CHAPTER 261.

AN ACT RELATING TO APPROPRIATIONS BY THE CITY OF BOSTON.
Repealed, 1941, ch. 604, s. 2.

1893.—CHAPTER 417.

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1893.—CHAPTER 437.

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Section 1, Amended 1943, ch. 203.

1894.—CHAPTER 453.

AN ACT PROVIDING FOR THE CUSTODY AND CONTROL OF THE SUFFOLK
COUNTY COURT HOUSE.
Repealed, 1939, ch. 383; See 1939, ch. 383.

1894.—CHAPTER 454.

AN ACT RELATING TO WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

202 Mass. 402, 408.

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1894.—CHAPTER 548.

AN ACT TO INCORPORATE THE BOSTON ELEVATED RAILWAY COMPANY AND TO PROMOTE RAPID TRANSIT IN THE CITY OF BOSTON AND VICINITY.

310 Mass. 535, 537-542, 543, 546, 549-565.

Section 1, 310 Mass. 535.

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Section 6, 310 Mass. 535-537, 539, 544, 568-570.

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1895.—CHAPTER 449.

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Section 10, Affected by 1943, ch. 351; See also 1943, ch. 355.

1896.—CHAPTER 435.

AN ACT RELATIVE TO THE HOLDING OF CAUCUSES IN THE CITY OF BOSTON.

Repealed, 1898, ch. 548, s. 418.

Section 7, 310 Mass. 788.

1896.—CHAPTER 516.

AN ACT TO PROVIDE FOR A UNION STATION FOR PASSENGERS ON RAILROADS ENTERING THE SOUTHERLY PART OF THE CITY OF BOSTON.

See 1941, ch. 711.

1897.—CHAPTER 219.

AN ACT FOR THE FURTHER PROTECTION OF PUBLIC HEALTH IN THE CITY OF BOSTON.

Section 1, Amended 1941, ch. 446, s. 1.

Section 2, Amended 1941, ch. 446, s. 2.

1897.—CHAPTER 265.

AN ACT RELATIVE TO THE LICENSING OF GAS FITTERS AND TO THE SUPERVISION OF THE BUSINESS OF GAS FITTING IN THE CITY OF BOSTON.

Repealed, 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council of Boston on May 10, 1943, and approved by the Mayor on May 15, 1943. See section 103 of the Boston Building Code as to effect of repeal on pending actions.

1897.—CHAPTER 500.

AN ACT TO PROMOTE RAPID TRANSIT IN THE CITY OF BOSTON AND VICINITY.

310 Mass. 535, 537, 543, 546, 549, 551, 558, 565, 567.

Section 2, 310 Mass. 535, 570.

Section 3, 310 Mass. 535, 537, 568, 570.

Section 4, 310 Mass. 536.

Section 19, 310 Mass. 536, 545, 547, 548, 565.

Section 21, 310 Mass. 536, 545-547, 565.

1898.—CHAPTER 452.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS ON AND NEAR COPLEY SQUARE IN THE CITY OF BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

1899.—CHAPTER 457.

AN ACT TO LIMIT THE HEIGHT OF BUILDINGS IN THE VICINITY OF THE STATE HOUSE.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

1900.—CHAPTER 237.

AN ACT TO PROVIDE FOR A PUBLIC SCHOOL TEACHERS' RETIREMENT FUND IN THE CITY OF BOSTON.

Section 10, Amended 1939, ch. 186.

1902.—CHAPTER 534.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF ADDITIONAL TUNNELS AND SUBWAYS IN THE CITY OF BOSTON.

310 Mass. 538.

1903.—CHAPTER 381.

AN ACT RELATIVE TO THE LAYING OUT AND CONSTRUCTION OF NORTHERN AVENUE AND SLEEPER STREET IN THE CITY OF BOSTON.

See 1941, ch. 492, s. 1.

1904.—CHAPTER 333.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code) by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

1905.—CHAPTER 349.

AN ACT TO REORGANIZE THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Section 1, Amended 1939, ch. 142, s. 1.

1905.—CHAPTER 383.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code) by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

See also 1938, ch. 479, s. 102.

1906.—CHAPTER 291.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A LICENSING BOARD AND A POLICE COMMISSIONER OF THE CITY OF BOSTON.

Section 7, Amended 1938, ch. 377, s. 1.

See 1938, ch. 122; 1938, ch. 123.

1907.—CHAPTER 416.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS ON RUTHERFORD AVENUE IN THE CITY OF BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code) by the City Council of Boston on May 10, 1943 and approval by the Mayor on May 15, 1943.

1907.—CHAPTER 463.

AN ACT RELATIVE TO THE LICENSING OF THEATRES AND PUBLIC HALLS IN THE CITY OF BOSTON.

Affected, 1943, ch. 544, s. 4.

1907.—CHAPTER 513.

AN ACT TO RELIEVE MEMBERS OF THE POLICE FORCE OF THE CITY OF BOSTON FROM POLICE DUTY AT CERTAIN TIMES.

See 1938, ch. 122; 1943, ch. 274.

1907.—CHAPTER 550.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Repealed, except section 128 thereof, by 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council on May 10, 1943 and approved by the Mayor on May 15, 1943. See section 103 of the Boston Building Code as to effect of repeal on pending actions.

300 Mass. 321.

311 Mass. 431.

Section 1, 300 Mass. 321.

Section 5, Amended 1941, ch. 445, s. 1.

Section 6, 311 Mass. 432, 433, 435, 437-440.

Section 7, 311 Mass. 437, 438, 440.

Section 45, 307 Mass. 483, 487.

See 1943, ch. 544; 1943, ch. 546.

1907.—CHAPTER 584.

AN ACT RELATIVE TO THE USE OF PUBLIC STREETS IN THE CITY OF BOSTON FOR THE STORAGE AND SALE OF MERCHANDISE.

308 Mass. 591.

1908.—CHAPTER 210.

AN ACT TO PROVIDE THAT ALL PAY-ROLLS, BILLS AND ACCOUNTS FOR SALARY OR COMPENSATION OF PERSONS IN THE SERVICE OR EMPLOYMENT OF THE CITY OF BOSTON SHALL BEAR THE CERTIFICATE OF THE CIVIL SERVICE COMMISSION.

Section 2, Amended 1943, ch. 161.

1909.—CHAPTER 221.

AN ACT TO AUTHORIZE THE POLICE COMMISSIONER OF THE CITY OF BOSTON TO REVOKE OR TO SUSPEND LICENSES ISSUED BY HIM.

304 Mass. 113.

1909.—CHAPTER 486.

AN ACT RELATING TO THE ADMINISTRATION OF THE CITY OF BOSTON AND TO AMEND THE CHARTER OF THE SAID CITY.

299 Mass. 173.

Section 2, See 1943, ch. 289.

Section 3, Amended 1941, ch. 604, s. 1.

Section 3A, Added 1941, ch. 604, s. 1.

Section 3B, Added 1941, ch. 604, s. 1; See 1942 Special Session, ch. 4.

Section 5, See 1938, ch. 479, s. 104.

Section 9, See 1939, ch. 332.

Section 27, Amended 1938, ch. 263.

Section 28, Affected by 1943, ch. 351.

Section 30, Amended 1939, ch. 156, s. 1.
 Section 45, Amended 1938, ch. 300, s. 1.
 Section 53, Amended 1941, ch. 472, s. 1.
 Section 54, Amended 1941, ch. 472, s. 2.
 Section 56, Amended 1941, ch. 472, s. 3.

1909.—CHAPTER 490.

AN ACT TO CODIFY AND AMEND THE LAWS RELATING TO
 TAXATION.

Section 12 of Part I, See 308 Mass. 72, 80.

1910.—CHAPTER 571.

AN ACT TO AUTHORIZE THE COLLECTION OF FEES FOR PERMITS AND
 LICENSES ISSUED BY DEPARTMENTS OF THE CITY OF BOSTON.

See 1931, ch. 297; 1939, ch. 173.

1910.—CHAPTER 631.

AN ACT RELATIVE TO THE POWERS OF THE BOARD OF APPEAL OVER
 THE BUILDING DEPARTMENT OF THE CITY OF BOSTON.

Repealed. See 1938, ch. 479, s. 102 (Boston Building Code), which
 was accepted by the City Council of Boston on May 10, 1943
 and approved by the Mayor on May 15, 1943.

Section 1, 311 Mass. 432, 435, 438.

1911.—CHAPTER 342.

AN ACT TO REGULATE THE CONSTRUCTION OF GARAGES IN THE CITY
 OF BOSTON.

Repealed, 1938, ch. 479, s. 102 (Boston Building Code), which was
 accepted by the City Council of Boston on May 10, 1943 and
 approved by the Mayor on May 15, 1943.

See section 103 of the Boston Building Code as to effect of repeal on
 pending actions.

1911.—CHAPTER 581.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO CONSTRUCT, RE-
 CONSTRUCT AND REPAIR CERTAIN BRIDGES BETWEEN SAID CITY
 AND CHELSEA, WINTHROP AND EVERETT.

Section 1, Amended 1941, ch. 178, s. 1.

Section 2, Amended 1941, ch. 178, s. 2.

1912.—CHAPTER 195.

AN ACT TO PROVIDE FOR THE USE OF PUBLIC SCHOOL PROPERTY OF
 THE CITY OF BOSTON FOR SOCIAL, CIVIC AND OTHER PURPOSES.

Section 1, 309 Mass. 106.

1913.—CHAPTER 577.

AN ACT TO REGULATE THE ERECTION AND MAINTENANCE OF GARAGES
IN THE CITY OF BOSTON.

Affected by 1943, ch. 351.

1913.—CHAPTER 729.

AN ACT RELATIVE TO DRY HOUSES IN THE CITY OF BOSTON.

Repealed 1938, ch. 479, s. 102 (Boston Building Code), which was
accepted by the City Council of Boston on May 10, 1943 and
approved by the Mayor on May 15, 1943.

See section 103 of the Boston Building Code as to effect of repeal
on pending actions.

1913.—CHAPTER 810.

AN ACT RELATIVE TO THE BOYLSTON STREET SUBWAY.

Section 3, Part Repealed, 1938, ch. 340, s. 3.

Affected by 1938, ch. 340.

1913.—CHAPTER 835.

AN ACT TO CODIFY THE LAWS RELATIVE TO PRIMARIES, CAUCUSES
AND ELECTIONS.

Section 8, 310 Mass. 785n; 311 Mass. 650.

Section 76, 311 Mass. 650.

Section 82, 311 Mass. 650.

Section 305, 310 Mass. 788.

1914.—CHAPTER 782.

AN ACT TO AMEND THE BUILDING LAW OF THE CITY OF BOSTON.

Repealed 1938, ch. 479, s. 102 (Boston Building Code), which was
accepted by the City Council of Boston on May 10, 1943 and
approved by the Mayor on May 15, 1943.

See section 103 of the Boston Building Code as to effect of repeal on
pending actions.

SPECIAL ACTS, 1915.—CHAPTER 333.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF
BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pur-
suant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479
(Boston Building Code), by the City Council of Boston on
May 10, 1943 and approval by the Mayor on May 15, 1943.

GENERAL ACTS, 1917.—CHAPTER 29.

AN ACT RELATIVE TO THE LISTING OF VOTERS IN THE CITY OF BOSTON.

Section 7, Amended 1938, ch. 287, s. 1.

Section 9, Repealed 1938, ch. 287, s. 2.

GENERAL ACTS, 1917.—CHAPTER 82.

AN ACT RELATIVE TO THE TIME WITHIN WHICH NOMINATION PAPERS
SHALL BE SUBMITTED FOR THE CERTIFICATION OF NAMES, AND
TO STATEMENTS ON NOMINATION PAPERS.

Repealed, G. L., ch. 282.

Section 1, 311 Mass. 651.

SPECIAL ACTS, 1918.—CHAPTER 93.

AN ACT TO REORGANIZE THE ASSESSING DEPARTMENT OF THE CITY
OF BOSTON.

Section 1, Amended 1938, ch. 257, s. 1.

Section 2, Amended 1938, ch. 257, s. 2.

See 1938, ch. 257.

SPECIAL ACTS, 1918.—CHAPTER 159.

AN ACT TO PROVIDE FOR THE PUBLIC OPERATION OF THE BOSTON
ELEVATED RAILWAY COMPANY.

Section 11, Amended 1941, ch. 139, s. 1.

See Opinion of the Justices, 309 Mass. 609.

310 Mass. 528, 569, 574, 576, 581.

312 Mass. 75.

Section 1, 310 Mass. 575, 576, 581.

Section 1, 312 Mass. 75, 78.

Section 2, 310 Mass. 575, 576, 578-580, 582.

Section 2, 312 Mass. 78, 80.

Section 3, 310 Mass. 575, 578, 579.

Section 3, 312 Mass. 78, 79.

Section 4, 310 Mass. 578, 579.

Section 4, 312 Mass. 79.

Section 5, 310 Mass. 576.

Section 6, 310 Mass. 576, 578, 581-583.

Section 6, 312 Mass. 77, 80.

Section 7, 310 Mass. 578.

Section 8, 310 Mass. 576, 581.

Section 8, 312 Mass. 77.

Section 9, 310 Mass. 576, 581.

Section 9, 312 Mass. 77, 80.

Section 10, 310 Mass. 578.

Section 11, 310 Mass. 576, 581.

Section 11, 312 Mass. 77, 80, 82.

Section 12, 310 Mass. 575, 581.

Section 12, 312 Mass. 78.

Section 13, 310 Mass. 575, 576, 581-584.

Section 13, 312 Mass. 77, 78, 80.

Section 14, 312 Mass. 77.

Section 15, 310 Mass. 575.

Section 15, 312 Mass. 78.

Section 16, 310 Mass. 575.

Section 16, 312 Mass. 78.

Section 18, 310 Mass. 576, 578.

SPECIAL ACTS, 1919.—CHAPTER 156.

AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF BOSTON.

Repealed. See 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943. See also 1938, ch. 479, s. 102.

SPECIAL ACTS, 1919.—CHAPTER 163.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF HOSPITALS IN THE CITY OF BOSTON.

Sections 1-5, inclusive, repealed by 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council of Boston on May, 1943, and approved by the Mayor on May 15, 1943. See section 103 of the Boston Building Code as to effect of repeal on pending actions.

See 1943, c. 544; 1943, c. 546.

1920.—CHAPTER 455.

AN ACT RELATIVE TO THE LIMITATION IN HEIGHT OF BUILDINGS ON LAND BETWEEN DARTMOUTH STREET AND TRINITY PLACE IN THE CITY OF BOSTON.

Repealed, 1941, ch. 373, s. 22. This repeal became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

1920.—CHAPTER 493.

AN ACT RELATIVE TO APPLICATIONS FOR CERTIFIED COPIES OF THE VOTING LISTS SHOWING THE PARTY ENROLLMENT OF VOTERS.

Sections 1 and 2, 310 Mass. 789.

1922.—CHAPTER 521.

AN ACT PROVIDING RETIREMENT ALLOWANCES BASED ON ANNUITY AND PENSION CONTRIBUTIONS FOR EMPLOYEES OF THE CITY OF BOSTON OR OF THE COUNTY OF SUFFOLK.

Section 14, clause (c), Amended 1943, ch. 204, s. 1.

Section 16A, Added 1939, ch. 131.

Section 17, 304 Mass. 471.

See 1938, ch. 421.

1922.—CHAPTER 525.

AN ACT RELATIVE TO THE CUSTODY AND CONTROL OF THE SUFFOLK COUNTY COURT HOUSE.

Repealed, See 1939, ch. 383.

1923.— CHAPTER 278.

AN ACT REQUIRING THE INSTALLATION OF STANDPIPES AND OTHER EQUIPMENT IN CERTAIN BUILDINGS IN THE CITY OF BOSTON.

Repealed, 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council of Boston on May 10, 1943, and approved by the Mayor on May 15, 1943.

See section 103 of the Boston Building Code as to effect of repeal on pending actions.

1924.— CHAPTER 488.

AN ACT REGULATING AND RESTRICTING THE USE OF BUILDINGS AND PREMISES, THE HEIGHT AND BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS IN THE CITY OF BOSTON AND FOR SAID PURPOSES DIVIDING THE CITY INTO DISTRICTS.

311 Mass. 53, 57, 431, 432, 440.

Section 1, Amended (see footnote) 1941, ch. 373, s. 1.

Section 2, Amended (see footnote) 1941, ch. 373, s. 2.

Section 3, paragraph (3), Amended (see footnote) 1941, ch. 373, s. 3.

Section 3, paragraph (8), Amended (see footnote) 1941, ch. 373, s. 4.

Section 3, 311 Mass. 53, 55, 57.

Section 3A, Added (see footnote) 1941, ch. 373, s. 5.

Section 4, 311 Mass. 53, 57-59, 432.

Section 7, paragraph (39A), Added (see footnote) 1941, ch. 373, s. 6.

Section 8, Amended (see footnote) 1941, ch. 373, s. 7.

Section 9, Amended (see footnote) 1941, ch. 373, s. 8.

Section 10, Amended (see footnote) 1941, ch. 373, s. 9.

Section 11, Amended (see footnote) 1941, ch. 373, s. 10.

Section 12, Amended (see footnote) 1941, ch. 373, s. 11.

Section 13, Amended (see footnote) 1941, ch. 373, s. 12.

Section 13, 311 Mass. 432.

Section 14, Amended (see footnote) 1941, ch. 373, s. 13.

Section 15, Amended (see footnote) 1941, ch. 373, s. 14.

Section 16, paragraph (3), Amended (see footnote) 1941, ch. 373, s. 15.

Section 16, paragraph (14), Amended (see footnote) 1941, ch. 373, s. 16.

Section 16, paragraph (16), Added (see footnote) 1941, ch. 373, s. 17.

Section 19, Amended (see footnote) 1941, ch. 373, s. 18.

Section 19, 311 Mass. 52, 54, 431, 432, 438-441.

Section 20, Amended (see footnote) 1941, ch. 373, s. 19.

Section 20, 311 Mass. 58, 440.

Section 21, Amended (see footnote) 1941, ch. 373, s. 20.

Footnote.— These amendments became effective, pursuant to 1941, ch. 373, s. 23, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943.

1925.—CHAPTER 219.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES, THE HEIGHT AND BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS IN SPECIFIED DISTRICTS OF THE CITY OF BOSTON.

Affected by 1941, ch. 373, s. 1, which became effective by the acceptance of 1938, ch. 479 (Boston Building Code) by the City Council of Boston on May 10, 1943 and approval by the Mayor on May 15, 1943.

Section 4, 311 Mass. 53.

1925.—CHAPTER 341.

AN ACT PROVIDING FOR THE ELIMINATION OF THE CROSSING AT GRADE AT GOVERNOR SQUARE IN THE CITY OF BOSTON BY STREET RAILWAY CARS USING THE BOYLSTON STREET SUBWAY AND DEFINING THE TERM "TRANSIT DEPARTMENT OF THE CITY OF BOSTON" AS USED IN CERTAIN STATUTES.

Section 2, Amended 1941, ch. 140, s. 1.

Section 3, Amended 1941, ch. 140, s. 2.

Section 5, Amended 1941, ch. 140, s. 3.

1926.—CHAPTER 182.

AN ACT RELATIVE TO HOSPITAL BUILDINGS IN THE CITY OF BOSTON.

Repealed, 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council of Boston on May 10, 1943 and approved by the Mayor on May 15, 1943. See section 103 of the Boston Building Code as to the effect of repeal on pending actions.

1926.—CHAPTER 350.

AN ACT RELATIVE TO THE POWERS OF THE BOARD OF APPEAL OF THE CITY OF BOSTON TO VARY THE APPLICATION OF THE BOSTON ZONING LAW IN RESPECT TO THE HEIGHT OF BUILDINGS.

Affected by 1941, ch. 373, which, pursuant to section 23 thereof, became effective by the acceptance of 1938, ch. 479 (Boston Building Code) by the City Council of Boston on May 10, 1943 and approval by the Mayor on May 15, 1943.

Section 1, 3, 311 Mass. 431, 432.

1927.—CHAPTER 42.

AN ACT AUTHORIZING THE ERECTION IN CERTAIN SECTIONS OF THE CITY OF BOSTON OF METAL COVERED STEEL FRAME BUILDINGS.

Repealed, 1938, ch. 479, s. 102 (Boston Building Code), which was accepted by the City Council of Boston on May 10, 1943 and approved by the Mayor on May 15, 1943. See section 103 of the Boston Building Code as to effect of repeal on pending actions.

RESOLVES, 1928.—CHAPTER 64.

RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO LEASE TO THE CITY OF BOSTON FOR AIRPORT PURPOSES CERTAIN LAND OF THE COMMONWEALTH IN THAT PART OF SAID CITY KNOWN AS EAST BOSTON.

See 1941, ch. 695; 1943, ch. 528.

1929.—CHAPTER 229.

AN ACT ESTABLISHING A BOARD TO BE KNOWN AS THE BOSTON PORT AUTHORITY, PRESCRIBING ITS DUTIES AND DEFINING THE PORT OF BOSTON.

Section 1, Amended 1938, ch. 453, s. 1.

Section 2, Amended 1938, ch. 453, s. 2.

Section 3, Amended 1938, ch. 453, s. 3.

See 1938, ch. 453.

1929.—CHAPTER 263.

AN ACT ESTABLISHING THE BOSTON TRAFFIC COMMISSION AND DEFINING ITS POWERS AND DUTIES.

311 Mass. 609.

1929.—CHAPTER 297.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

See Resolves 1938, ch. 83; Resolves 1939, ch. 71; Resolves 1941, ch. 20; Resolves 1943, ch. 25.

1929.—CHAPTER 351.

AN ACT TO ESTABLISH A BOARD OF COMMISSIONERS OF SCHOOL BUILDINGS AND A DEPARTMENT OF SCHOOL BUILDINGS IN THE CITY OF BOSTON.

309 Mass. 106.

1930.—CHAPTER 392.

AN ACT PROVIDING FOR THE REGULATION AND LIMITATION OF HACKNEY STANDS AND HACKNEY CARRIAGES IN THE CITY OF BOSTON.

Section 2, 304 Mass. 113.

Section 3, 304 Mass. 113.

Section 4, 304 Mass. 113.

Section 8, 304 Mass. 113.

RESOLVES, 1930.—CHAPTER 53.

RESOLVE AUTHORIZING ADDITIONAL LEASES TO THE CITY OF BOSTON FOR AIRPORT PURPOSES OF CERTAIN LANDS OF THE COMMONWEALTH IN EAST BOSTON AND PROVIDING FOR CERTAIN RESERVATIONS TO PROTECT THE COMMONWEALTH'S INTERESTS.

See 1941, ch. 15; 1941, ch. 695; 1943, ch. 528.

1931.—CHAPTER 101.

AN ACT TO PROVIDE FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

Section 1, Amended 1941, ch. 110, s. 1.

Section 2, Amended 1941, ch. 110, s. 2.

See 1943, ch. 26, which suspends the operation of this act during present war emergency.

1931.—CHAPTER 297.

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF BOSTON WITH THE APPROVAL OF THE MAYOR, TO FIX FEES FOR CERTAIN LICENSES AND PERMITS, AND TO ESTABLISH AND FIX FEES FOR THE QUALIFICATION OR WARRANT OF CERTAIN OFFICERS.

Section 1, Amended 1939, ch. 173, s. 1.

See 1910, ch. 571.

1931.—CHAPTER 333.

AN ACT REVISING AND EXTENDING THE TERM OF THE LEASE TO THE COMMONWEALTH OF THE PROPERTIES OF THE BOSTON ELEVATED RAILWAY COMPANY AND CONTINUING PUBLIC MANAGEMENT AND OPERATION THEREOF.

310 Mass. 569, 575, 581.

312 Mass. 75.

Section 1, 310 Mass. 575, 579, 581.

Section 1, 312 Mass. 78.

Section 2, 310 Mass. 576, 581.

Section 3, 310 Mass. 575.

Section 3, 312 Mass. 77.

Section 17, 310 Mass. 575.

Section 17, 312 Mass. 78.

Section 19, 310 Mass. 575, 576, 578.

Section 19, 312 Mass. 78.

Section 22, 310 Mass. 578.

Section 24, 310 Mass. 58.

See 1939, ch. 482.

1933.—CHAPTER 204.

AN ACT RELATIVE TO THE USE OF BUILDINGS AND PREMISES AND THE OCCUPANCY OF LOTS IN THE CITY OF BOSTON.

Section 1 (a), 311 Mass. 53-59.

Section 3, 311 Mass. 53.

Section 4, Affected by 1941, ch. 373, s. 12; 1941, ch. 373, became effective, pursuant to s. 23 thereof, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council of Boston on May 10, 1943 and approval by the Mayor on May 15, 1943.

1933.—CHAPTER 366.

AN ACT ENABLING CITIES AND TOWNS AND FIRE, WATER, LIGHT AND IMPROVEMENT DISTRICTS TO SECURE THE BENEFITS PROVIDED BY THE NATIONAL INDUSTRIAL RECOVERY ACT.

Section 2, Part I, Amended 1939, ch. 423, s. 2.

Section 7, Part II, Amended 1938, ch. 398, s. 1; 1941, ch. 148, s. 1.

See 1938, ch. 50, ss. 2, 3; 1938, ch. 395.

1934.—CHAPTER 280.

AN ACT RELATIVE TO THE REGULATION AND LIMITATION OF HACKNEY CARRIAGES IN THE CITY OF BOSTON.

304 Mass. 113.

1935.—CHAPTER 99.

AN ACT RELATIVE TO THE DATES AS OF WHICH AMOUNTS TO BE PAID OR REPAID ON ACCOUNT OF DEFICITS IN THE COSTS OF OPERATION OF THE BOSTON ELEVATED RAILWAY COMPANY SHALL BE DETERMINED.

Section 1, 310 Mass. 576, 581.

Section 1, 312 Mass. 77.

1935.—CHAPTER 404.

AN ACT RELATIVE TO THE SECURING OF THE BENEFITS OF THE NATIONAL INDUSTRIAL RECOVERY ACT AND THE EMERGENCY RELIEF APPROPRIATION ACT OF 1935 BY COUNTIES, CITIES, TOWNS AND DISTRICTS.

Section 9 (Added by 1936, ch. 414), Amended 1938, ch. 50, s. 1; 1939, ch. 423, s. 1; 1941, ch. 639, s. 1.

1936.—CHAPTER 414.

AN ACT EXTENDING THE PROVISIONS OF CERTAIN ENABLING ACTS SO THAT CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH MAY ACCEPT AND USE FOR PUBLIC PROJECTS CERTAIN FEDERAL FUNDS WHICH MAY BE MADE AVAILABLE DURING THE CURRENT YEAR.

1937.—CHAPTER 292.

AN ACT PROVIDING FOR THE ACQUISITION BY THE CITY OF BOSTON OF CERTAIN PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

(The City of Boston did not exercise the authority contained in section one of this act during 1938.)

See 1938, ch. 15; 1939, ch. 208; 1941, ch. 369.

Repealed, 1941, ch. 369, s. 10.

See 1943, ch. 163.

RESOLVES, 1937.—CHAPTER 72.

RESOLVE AUTHORIZING AN EXTENSION OF CERTAIN LEASES TO THE CITY OF BOSTON OF CERTAIN STATE LANDS IN EAST BOSTON FOR AIRPORT AND SEAPLANE PURPOSES.

See 1941, ch. 695; 1943, ch. 528.

1938.—CHAPTER 15.

AN ACT EXTENDING THE TIME FOR THE ACQUISITION BY THE CITY OF BOSTON OF CERTAIN PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Not accepted.

See 1937, ch. 292, s. 1; 1939, ch. 208; 1941, ch. 369; 1943, ch. 163.

1938.—CHAPTER 50.

AN ACT RELATIVE TO THE ACCEPTANCE AND USE BY CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH OF FEDERAL FUNDS FOR CERTAIN PUBLIC PROJECTS AND TO THE INCURRING OF INDEBTEDNESS THEREFOR.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and four of the acts of nineteen hundred and thirty-five is hereby amended by striking out section nine, added by chapter four hundred and fourteen of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following:—*Section 9.* Wherever, in Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, and acts in amendment thereof and in addition thereto, reference is made to the National Industrial Recovery Act or any title or part thereof, or to the Emergency Relief Appropriation Act of 1935, such reference shall be deemed and held to refer also to all acts and joint resolutions of congress enacted during nineteen hundred and thirty-six, nineteen hundred and thirty-seven or nineteen hundred and thirty-eight, authorizing grants of federal money for public projects.

SECTION 2. All votes of cities, towns or districts passed in nineteen hundred and thirty-six, nineteen hundred and thirty-seven or nineteen hundred and thirty-eight, authorizing the borrowing of money under Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, or any act in amendment thereof or in addition thereto, are hereby ratified and confirmed and shall have the same effect and validity as if section one of this act had been in effect prior to the passage of said votes.

SECTION 3. Nothing in said chapter three hundred and sixty-six, or any act in amendment thereof or in addition thereto, shall be construed to affect the power of a city, town or district to incur indebtedness under chapter forty-four of the General Laws, notwithstanding that the money so borrowed is to be expended in co-operation with the federal government. *Approved February 18, 1938.*

See 1938, ch. 395; 1938, ch. 398; 1939, ch. 423; 1941, ch. 148; 1941, ch. 639.

1938.— CHAPTER 122.

AN ACT PROVIDING FOR ONE DAY OFF IN EVERY SEVEN DAYS FOR POLICE OFFICERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Members of the police department of the city of Boston shall be excused from duty for one day out of every seven without loss of pay. The time and manner of excusing members of said police department from duty shall be determined by the police commissioner for said city. A member so excused shall be exempt from duty and from attendance at a police station or other place, but otherwise shall be subject to all laws, rules and regulations relating to members of said department. Said police commissioner, in case of any public emergency, or of any unusual demand for the services of the police in said city, may prevent any member of said department from taking the day off at the time when he is entitled thereto, or at the time assigned therefor; provided, that such day off shall be granted to him as soon thereafter as is practicable. In no case shall the number of such days off be less than fifty-two in each year and they shall be in addition to any annual vacation now or hereafter allowed to members of said department, and such annual vacation shall not be diminished on account thereof.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter. *Approved March 22, 1938.*

Accepted City Council, September 15, 1941.

Approved by Mayor, September 19, 1941.

See 1907, ch. 513; 1943, ch. 274.

1938.— CHAPTER 123.

AN ACT AUTHORIZING THE POLICE COMMISSIONER FOR THE CITY OF BOSTON TO DESTROY CERTAIN SLOT MACHINES AND OTHER ARTICLES USED IN UNLAWFUL GAMING NOW IN THE POSSESSION OF THE POLICE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

Any slot machine or other gaming apparatus or implement or cabinet, supposed to have been found in a place where unlawful gaming was carried on, which is in the custody of the police department of the city of Boston and is not the subject of a pending proceeding for forfeiture under sections one to eight, inclusive, of chapter two hundred and seventy-six of the General Laws, may be destroyed

by the police commissioner for said city; provided, that there shall first be published in a daily newspaper published in said city a notice describing such article, stating when, where and on what ground it was seized and calling upon the owner thereof to claim the same; and provided, further, that the owner of such article does not appear and establish his claim thereto within two months after such publication.

Approved March 22, 1938.

See 1906, ch. 291.

1938.— CHAPTER 235.

AN ACT PROVIDING FOR THE FUNDING OF OVERLAY DEFICITS AND
OTHER ITEMS BY THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, for the purposes specified in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, nine million dollars; provided, that indebtedness incurred under authority of this section in excess of seven million dollars shall be subject to the approval of the board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three; and provided, further, that no such indebtedness in excess of seven million dollars shall be approved by said board unless the proceeds of such bonds or notes so issued to an amount of seven million dollars shall be inadequate for the purposes specified in section two; and provided, further, that no bonds or notes authorized by this section shall be issued later than the thirty-first day of December, nineteen hundred and forty. Such bonds or notes shall bear on their face the words, City of Boston Funding Loan, Acts of 1938. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this section shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. The said city may issue temporary notes of the city, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of said serial bonds or notes shall be paid from the proceeds thereof.

SECTION 2. The amounts borrowed under authority of section one shall be used for meeting so much of the deficits resulting from the satisfaction of abatements on account of tax assessments in each of the years nineteen hundred and twenty-nine to nineteen hundred and thirty-seven, inclusive, heretofore granted, and for the satisfaction of abatements on account of tax assessments in each of such years hereafter granted, in excess of the overlay or overlays of such years, and for meeting such other deficits existing as of

December thirty-first, nineteen hundred and thirty-seven, as by law are not required to be included in the amounts to be assessed in the year nineteen hundred and thirty-eight.

SECTION 3. The auditor of the said city shall set up a separate account of the proceeds of all loans issued under authority of section one. Charges shall be made against such account only for the purposes authorized in section two, and then only with the approval of the mayor.

SECTION 4. The assessors of the city of Boston, for the purpose of avoiding fractional divisions of the amount to be assessed in the apportionment thereof and providing for abatements granted on account of taxes assessed, shall add to the amount to be assessed, in each of the years nineteen hundred and thirty-eight to nineteen hundred and forty-two, inclusive, four per cent thereof, and in each year thereafter, until all loans issued under authority of section one are paid, three per cent thereof; provided, that should the amounts authorized to be borrowed under section one be inadequate for the purposes specified in section two, or should the amount which said assessors are authorized, under this section, to add to the amount to be assessed be inadequate, in any year, for the purposes specified in this section, the said assessors shall add to the amount to be assessed in the following year such additional amount as may be required to fully meet all of such purposes.

SECTION 5. From and after the effective date of this act and until all loans issued under authority of section one are paid, the proceeds of all loans made by said city under said chapter forty-nine of the acts of nineteen hundred and thirty-three, as amended, shall be used for no purpose other than to meet notes issued by said city in anticipation of revenue.

SECTION 6. Bonds or notes issued under authority of section one shall, in favor of bona fide holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions contained in this act; and no holder thereof shall be obliged to see to the existence of the purpose of that issue, or to the regularity of any of the proceedings, or to the application of the proceeds.

SECTION 7. Loan orders passed under authority of this act shall be deemed to be emergency orders and as such may be passed in such manner as is provided for emergency orders in the charter of said city.

SECTION 8. This act shall take effect upon its passage.

Approved April 26, 1938.

Section 1, See 1941, ch 225, s. 4.

1938.—CHAPTER 257.

AN ACT TO AUTHORIZE THE REORGANIZATION OF THE BOARD OF ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by striking

out, in the * third line, the word "three" and inserting in place thereof the word:—five,—so as to read as follows:— *Section 1.* The assessing department of the city of Boston shall hereafter be under the direction of a board of five assessors who shall exercise the powers and perform the duties of assessors of taxes.

SECTION 2. Said chapter ninety-three is hereby further amended by striking out section two, as most recently amended by section one of chapter one hundred and ninety of the acts of nineteen hundred and thirty-seven, and inserting in place thereof the following:— *Section 2.* The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, five assessors to hold office for terms of one, two, three, four, and five years, respectively, from the first day of April in the year nineteen hundred and thirty-eight. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of five years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of seventy-five hundred dollars; the four other members of the board shall each receive an annual salary of six thousand dollars.

SECTION 3. The terms of office of the members of the board of assessors of the city of Boston in office immediately prior to the time when this act becomes fully effective shall terminate upon the qualification of the assessors appointed under section two.

SECTION 4. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 28, 1938.

Accepted May 11, 1938.

1938.—CHAPTER 263.

AN ACT RELATIVE TO THE PREPARATION AND VERIFICATION OF LISTS OF OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON AND COUNTY OF SUFFOLK AND TO THE PUBLICATION OF CERTAIN COMPARATIVE TABLES OF THE NUMBERS OF SUCH OFFICIALS AND EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section twenty-seven, as most recently amended by section one of chapter one hundred and thirty-three of the acts of nineteen hundred and twenty-two, and inserting in place thereof the following:— *Section 27.* Every officer and board in charge of a department of the city of Boston or county of Suffolk shall, on or before the sixth day of January in the year nineteen hundred and thirty-nine, and on or before the sixth day of January in each year thereafter, prepare and furnish to the city auditor a list of the officials and employees under said officer or board and paid by the city or county on the first day of such January; and every such officer and board shall, on or

* The second line in this compilation.

before the sixth day of June, in each of the years nineteen hundred and thirty-eight to nineteen hundred and forty-three, inclusive, prepare and furnish to the city auditor a list of such officials and employees paid by the city or county on the first day of such June. Such lists shall give the names, residence by street and ward, designation, compensation, and date of election or appointment of each of said officials and employees and the date when each first entered the employ of the city or county. It shall be the duty of the city auditor to verify said lists by the pay rolls and to keep a copy of said lists open for public inspection, and to prepare and publish in the City Record, in the year nineteen hundred and thirty-nine and annually thereafter, a comparative table containing the number of such officials and employees holding office or employed in each such department or board and paid by the city or county on the first day of January in each of the ten years next preceding such publication; and, in addition, in each of the years nineteen hundred and thirty-eight to nineteen hundred and forty-three, inclusive, he shall prepare and publish in the City Record a comparative table showing the number of such officials and employees holding office or employed in each such department or board and paid by the city or county on the first day of June in each of the ten years next preceding such publication. Each such comparative table of the number of such officials and employees paid by the city or county on the first day of January, in any year, shall be so published not later than during the first week in the month of March next following; and each such comparative table of the number of such officials and employees paid by the city or county on the first day of June, in each of the years nineteen hundred and thirty-eight to nineteen hundred and forty-three, inclusive, shall be so published not later than during the first week in the month of August next following.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1938.

1938.—CHAPTER 287.

AN ACT RELATIVE TO THE PERSONNEL OF THE LISTING BOARD IN THE CITY OF BOSTON, AND REPEALING THE PROVISIONS OF LAW REQUIRING SAID BOARD TO TRANSMIT COPIES OF CERTAIN LISTS, AND TO FURNISH CERTAIN INFORMATION, TO THE ELECTION COMMISSIONERS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-nine of the General Acts of nineteen hundred and seventeen is hereby amended by striking out section seven and inserting in place thereof the following:—
Section 7. In Boston there shall be a listing board composed of the police commissioner of the city and the board of election commissioners. In case of disagreement between the members of the listing board, the chief justice of the municipal court of the city of Boston, or, in case of his disability, the senior justice of said court who is not disabled, shall, for the purpose of settling such disagreement, be a member of said listing board and shall preside and cast the deciding vote in case of a tie.

SECTION 2. Section nine of said chapter twenty-nine, as amended by section two of chapter one hundred and fourteen of the acts of nineteen hundred and twenty-one, is hereby repealed.

Approved May 6, 1938.

1938.—CHAPTER 300.

AN ACT PROVIDING THAT THE MAYOR OF BOSTON SHALL BE ELIGIBLE FOR ELECTION FOR THE SUCCEEDING TERM.

Be it enacted, etc., as follows:

SECTION 1. Section forty-five of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as most recently amended by section six of chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the * sixth and seventh lines, the words "and shall not be eligible for election for the succeeding term",—so as to read as follows:—*Section 45.* Beginning with the biennial municipal election in the year nineteen hundred and twenty-five, the mayor of the city of Boston shall be elected at large to hold office for the term of four years from the first Monday in January following his election and until his successor is chosen and qualified.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Boston at its regular city election in the year nineteen hundred and thirty-nine in the form of the following question which shall be placed upon the official ballot to be used at said election:—"Shall an act passed by the general court in the year nineteen hundred and thirty-eight entitled 'An Act providing that the Mayor of Boston shall be eligible for Election for the Succeeding Term', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take effect, but not otherwise.

Approved May 10, 1938.

Accepted by the voters at the city election November 7, 1939.

1938.—CHAPTER 340.

AN ACT PROVIDING FOR THE REMOVAL OF THE PRESENT INCLINE AND APPROACH TO THE TREMONT STREET SUBWAY LOCATED IN BOYLSTON STREET BETWEEN ARLINGTON STREET AND CHARLES STREET IN THE CITY OF BOSTON UPON THE DISCONTINUANCE OF THE USE THEREOF BY THE BOSTON ELEVATED RAILWAY COMPANY AND RELATIVE TO THE TAKING OF CERTAIN LAND FOR MUNICIPAL AND OTHER PURPOSES IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Upon the discontinuance by the Boston Elevated Railway Company, hereinafter called the company, of its use of the present incline and approach to the Tremont street subway, located in Boylston street between Arlington street and Charles street in the city of Boston, hereinafter called the city, constructed under authority of chapter eight hundred and ten of the acts of nineteen hundred and

* The sixth line of this compilation.

thirteen and used by said company under its contract with the city for the use of the Boylston street subway, dated December seventh, nineteen hundred and eleven, as modified by the contract of said company with the city, dated September twenty-ninth, nineteen hundred and thirteen, the city, acting through its transit department, hereinafter called the department, is hereby authorized to remove the said incline and approach and to fill up the excavation of said incline and, when said incline and approach have been removed and said excavation filled in, to repave and resurface so much of Boylston street between Arlington street and Charles street as it may deem necessary for traffic purposes; provided, that no part of said work shall be begun unless and until a plan thereof shall have been prepared by the department and approved by the board of trustees of the company and its board of directors.

The net cost of the Boylston street subway and of the Tremont street subway, upon which the company pays rental, shall be neither increased nor decreased on account of the work herein authorized.

SECTION 2. The department may order the temporary removal or relocation of any surface tracks, and the temporary or permanent removal or relocation of any conduits, pipes, wires, poles, or other property, located in public ways or places, which it deems to interfere with the work authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles, or other property, in such public ways or places, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If any such owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles, or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any gas or electric lighting company shall shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far and for such time as may be necessary to prevent the escape or explosion of gas, or other public danger.

SECTION 3. So much of the provisions of section three of said chapter eight hundred and ten as provides that if the new incline therein provided for shall be discontinued at any future time the land taken under authority thereof from the Public Garden for the widening of Boylston street shall revert back to its then present use as a part of the Public Garden, and the then existing street line of Boylston street shall be re-established, is hereby repealed.

SECTION 4. The taking without compensation therefor, under an order passed June twenty-fifth, nineteen hundred and fourteen, by the board of street commissioners of the city, approved by the mayor of the city June twenty-ninth, nineteen hundred and fourteen, of the parcel of public land, hereinafter described, for the making in the city of the public improvement consisting of the widening and construction of Boylston street, Boston proper, as a

highway, on the northerly side, easterly from Arlington street, substantially as shown on a plan marked City of Boston Boylston St. Boston Proper May 20, 1914 F. O. Whitney Chief Engineer Street Laying Out Department, and deposited in the office of said department, is hereby authorized, ratified and confirmed. Said parcel is in said order named, bounded and described as follows:—"The highway named Boylston street is hereby widened on the northerly side, easterly from Arlington street, and the Boston Transit Commission is hereby authorized to construct the same. Said highway as hereby widened is bounded— West by Arlington street, forty and 15/100 feet; north by the northerly line of Boylston street as hereby widened, three hundred seventy-six and 45/100 feet; south-east by the northwesterly line of Boylston street as established by the Boston Transit Commission under authority of chapter 810 of the Acts of the Legislature of 1913, three hundred seventy-five and 16/100 feet: containing seventy-five hundred twenty-nine square feet more or less."

SECTION 5. Sections three, four and this section shall take effect upon the passage of this act. Sections one and two shall take full effect only upon acceptance thereof by the board of trustees of the Boston Elevated Railway Company and by said company by vote of its board of directors and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances and filing occur during the current year.

Approved May 19, 1938.

Sections 1 and 2, Accepted by the board of trustees June 23, 1938;
Accepted by the board of directors June 30, 1938; Certificates
filed June 30, 1938.

1938.— CHAPTER 377.

AN ACT RELATIVE TO THE POLICE COMMISSIONER FOR THE CITY OF BOSTON AND HIS SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter two hundred and ninety-one of the acts of nineteen hundred and six is hereby amended by striking out the second, third and fourth paragraphs and inserting in place thereof the following:—

Said police commissioner shall be appointed for a term of seven years and shall hold office until his successor is qualified, and any vacancy occurring in said office shall be filled by the governor, with the advice and consent of the council, for a term of seven years.

Said police commissioner may be removed by the governor, with the advice and consent of the council, for just cause, after a public hearing to be held at least seven days after said commissioner shall have been given written notice of the time and place thereof and shall have been furnished with a statement of the specific charges preferred against him.

Said police commissioner shall appoint a secretary, who shall be exempt from the civil service laws and rules and regulations, shall be sworn to the faithful performance of his duties and shall keep such records, issue such notices and attest such papers and orders as said

police commissioner shall direct. His term of office shall be seven years, but he may be removed by said police commissioner for such cause as said commissioner shall deem sufficient. Such cause shall be stated in his order of removal.

SECTION 2. This act shall apply to the police commissioner for the city of Boston in office upon its effective date and the term of said commissioner is hereby extended for an additional period of two years.

SECTION 3. This act shall take effect upon its passage.

Approved June 1, 1938.

1938.— CHAPTER 383.

AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO MAKE CERTAIN APPROPRIATIONS FOR CERTAIN UNPAID BILLS, AND AUTHORIZING THE CITY OF BOSTON TO PAY SAID UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the city of Boston is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred during the year nineteen hundred and thirty-seven by the department of school buildings of the city of Boston, as shown in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city by reason of their being incurred in excess of available appropriations or by reason of the city's failure to comply with the provisions of its charter, and as may be certified for payment by the superintendent of construction of the department of school buildings, the same to be charged to the sum provided for the current year under paragraph (b) of section two of chapter two hundred and twenty-four of the acts of nineteen hundred and thirty-six.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1938.

1938.— CHAPTER 395.

AN ACT PROVIDING FOR THE CONSTRUCTION OF AN UNDERPASS IN HUNTINGTON AVENUE AT OR NEAR ITS INTERSECTION WITH MASSACHUSETTS AVENUE IN THE CITY OF BOSTON, AND FOR THE MAKING OF AN ALTERATION OF THE SUBWAY NOW BEING CONSTRUCTED IN SAID HUNTINGTON AVENUE.

Be it enacted, etc., as follows:

SECTION 1. Subject to section five, the city of Boston, hereinafter called the city, acting through the transit department of the city, hereinafter called the department, is hereby authorized to construct an underpass for vehicular traffic in Huntington avenue at or near its intersection with Massachusetts avenue in the city, with such connecting roadways and alterations to existing roadways in the city as the department may deem necessary, and to make necessary alterations to street railway tracks and appurtenances thereof.

SECTION 2. For the purpose of carrying out this section and sections one and four, the department may use public lands and ways without compensation therefor, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for and on behalf of the city, lands in fee, and easements, estates and rights in land; and such taking in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by title derived through eminent domain or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by the construction of the underpass authorized by this act. Any person sustaining damage by reason of property or rights in property taken under authority of this or the preceding section, except public lands and ways which may be taken and used without compensation as hereinbefore provided, shall be entitled to recover therefor from the city under said chapter seventy-nine. The members of the department shall not be liable personally for any such damage.

SECTION 3. To meet the cost to the city of the underpass, which shall include all expenses of the city incurred in carrying out section one, and all land damages, expenses of the department, such proportions of the salaries of the department as may, in its opinion, be properly chargeable thereto, and all interest on money borrowed for the purposes of the underpass authorized by this act accruing prior to the use of the said underpass, the treasurer of the city, with the approval of the mayor of the city, may, from time to time, issue and sell at public or private sale bonds of the city to an amount sufficient to provide funds for the payment of said cost but not exceeding, in the aggregate, the sum of three hundred thousand dollars, which bonds shall bear on their face the words, City of Boston, Huntington Avenue Underpass Loan, Act of 1938. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit of indebtedness and shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, as amended, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. The department may order the temporary removal or relocation of any surface tracks, and the temporary or permanent removal or relocation of any conduits, pipes, wires, poles or other property located in public ways or places, which it deems to interfere with the laying-out or construction of the underpass authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracts, conduits, pipes, wires, poles or other property in such public ways or places, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If any owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks,

conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any gas or electric lighting company shall shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far and for such time as may be necessary to prevent the escape or explosion of gas or other public danger. Said underpass, when completed, shall be under the control of the public works department of the city.

SECTION 5. No construction work shall be done under section one of this act except in conjunction with an alteration of the subway now under construction under Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended and as affected by chapter one hundred and fifty-nine of the acts of nineteen hundred and thirty-seven, which alteration will extend said subway to a point in Huntington avenue not more than twelve hundred feet westerly of Massachusetts avenue. The city, acting through the department, is hereby authorized to make said alteration as a federal works progress administration project and furnish and equip the same, provided the necessary consent of the Boston Elevated Railway Company to a new plan altering the plans already approved for the construction of said subway is obtained, and the other approvals of such new plan are given, as provided in section seven of said Part II, and such alteration shall be a change or alteration in the plan referred to in said section seven and in the contract between the city and the company, which contract is dated June twenty-eighth, nineteen hundred and thirty-seven. Except as in this section otherwise provided, such provisions of said Part II, as amended and as so affected, as are applicable to an approved project thereunder shall apply to said alteration in the same manner and to the same extent as though it were a part of the project as originally approved thereunder, and the premises and equipment, as these terms are respectively defined in said Part II, shall include the property acquired or constructed, and provided and furnished by the department under this section. The department may do any and all things under this section, which under such applicable provisions of said Part II, as so affected, it is authorized to do thereunder. All bonds issued before or after the effective date of this act by the city to meet the cost to it of the premises and equipment, as these terms are used in this section, upon the terms and conditions and in the manner in which the city was authorized to issue bonds under section eleven of chapter four hundred and eighty of the acts of nineteen hundred and twenty-three, shall be deemed to have been authorized by section five of said Part II, as affected by said chapter one hundred and fifty-nine and by this section, and all indebtedness incurred or to be incurred under said Part II, as so affected, shall be outside of the statutory limit of indebtedness of the city, and shall be excluded from the limitations set forth in chapter fifty-eight of the acts of nineteen hundred and thirty-eight, but shall be within the limitations set forth in Part I of said chapter three hundred and sixty-six, as amended, any provision of the General Laws or of any special

law in effect after the effective date of said Part II inconsistent therewith notwithstanding.

No construction work under section one of this act or under this section shall be begun before approval by the proper federal authorities of federal works progress administration projects for the construction of the underpass authorized by said section one and for the making of the alteration by an extension, authorized under this section, of the subway now being constructed by the department, nor before the making or approval of allotments, allocations or grants of federal funds therefor under any resolution or act of congress authorizing the expenditure or use of federal money for public projects; provided, that the amount of such allotments, allocations or grants of federal funds are approved by the mayor of the city.

SECTION 6. The construction work on the underpass and subway herein provided for shall, as far as practicable, be performed underground in order to interfere as little as possible with the normal flow of traffic on Huntington avenue and adjacent thoroughfares.

SECTION 7. This act shall take full effect only upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year.

Approved June 7, 1938.

Accepted by the City Council June 20, 1938.

Approved by the Mayor June 21, 1938.

Accepted by the Company June 30, 1938.

Acceptance of the City filed June 22, 1938.

Acceptance of the Company filed June 30, 1938.

See 1938, ch. 50; 1938, ch. 398; 1939, ch. 423; 1941, ch. 148; 1941, ch. 639.

1938.—CHAPTER 398.

AN ACT PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS UNDER WHICH THE BOSTON ELEVATED RAILWAY COMPANY HAS BEEN GRANTED THE USE OF CERTAIN SUBWAY PREMISES AND EQUIPMENT AND MAKING CERTAIN CHANGES RELATIVE TO PAYMENTS IN CONNECTION WITH SUCH USE.

Be it enacted, etc., as follows:

SECTION 1. * Section seven of Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as affected by chapter one hundred and fifty-nine of the acts of nineteen hundred and thirty-seven, is hereby amended by striking out, in the thirty-fourth and in the forty-fifth lines, the word "June" and inserting in place thereof, in each instance, the word:— March,— and by striking out, in the thirty-second line, the word "July" and inserting in place thereof the word:— April,— so as to read as follows:— *Section 7.* No construction work shall be done under Part II

* Changes provided for in this section were incorporated in original act, as appearing in Volume II.

of this act, however, unless and until a plan therefor shall be approved by the commission of the department of public utilities and the mayor of the city and unless and until a contract between the city and the company shall have been executed for the sole and exclusive use by the company of the premises and equipment for a term beginning with the use thereof and ending upon the termination of the lease or contract for use as at present extended of the Boylston street subway. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the consent thereto of the company in writing nor at any time except with the approval of said emergency finance board, the governor and such approvals as may be required under the provisions of the National Industrial Recovery Act or regulations made thereunder. The contract shall be in the same general form as that authorized by said chapter four hundred and eighty, except in so far as any other provision may be agreed upon by the department and the company as specially applicable to the demised premises. The net cost of the premises and equipment shall be determined in the manner provided in said chapter four hundred and eighty, except that there shall be deducted from the amount so determined all amounts received by the city as direct grants, or by remission of bonds or other obligations, or in any manner or form whatsoever amounting in substance directly or indirectly to a contribution to the cost of the premises and equipment under the National Industrial Recovery Act. The rental shall be payable annually on the twenty-fifth day of April in each year. Such contract for use shall provide that the company shall pay to the city for each full year ending with the last day of March, and ratably for any portion of the year, an annual rental which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of the premises and equipment in addition to the annual amount of interest on bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, however, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of March the amount originally established; provided, however, that such excess shall be determined and the obligation to pay the rental shall accrue only after deducting from said reserve fund the full amount of the rental payable under any contracts executed under the authority of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five as amended and after fully reimbursing the commonwealth as provided in sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing provisos the company is not required to make the full rental payment as above provided for the premises and equipment authorized by this act, the city shall place any amounts so unpaid in its next ensuing tax levy.

SECTION 2. The acceptance of this act by the Boston Elevated Railway Company and the city of Boston, as hereinafter provided, shall constitute an agreement on the part of the city and the company to execute a contract modifying, in accordance with the provisions

of this act, the existing contract between the city and the company for the use by the company of the premises and equipment authorized to be acquired, constructed and provided pursuant to the provisions of Part II of said chapter three hundred and sixty-six.

SECTION 3. This act shall take effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year.

Approved June 7, 1938.

Accepted by the City Council June 27, 1938.

Approved by the Mayor June 28, 1938.

Accepted by the Company June 30, 1938.

Acceptance of the City filed June 29, 1938.

Acceptance of the Company filed June 30, 1938.

See 1938, ch. 50; 1938, ch. 395; 1939, ch. 423; 1941, ch. 148; 1941, ch. 639.

1938.— CHAPTER 421.

AN ACT RELATIVE TO THE RETIREMENT AND PENSION STATUS OF THE MESSENGER OF THE JUSTICES OF THE SUPREME JUDICIAL COURT AND OF CERTAIN COURT OFFICERS IN ATTENDANCE UPON SAID COURT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of paragraph (6) of section two of chapter thirty-two of the General Laws, the messenger of the justices of the supreme judicial court shall, for retirement purposes, be deemed to be an employee of Suffolk county within the meaning of section two, as amended, of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, known as the Boston retirement act, and is hereby declared to be a member of the retirement system thereby established, with all the rights, benefits and privileges and subject to all the conditions and restrictions specified in said act and amendments thereof in respect to employees of Suffolk county who are members of said retirement system.

SECTION 2. The state treasurer and the treasurer of the city of Boston shall each withhold on each pay day four per cent of the regular compensation due from the commonwealth and said city, respectively, to said messenger and to each court officer in attendance upon said court who is a member of said retirement system and forthwith pay the amounts so withheld to the Boston retirement board, hereinafter called the board, who shall immediately deposit them in the annuity savings fund, established under section six of said chapter five hundred and twenty-one, to the credit of said messenger or officer, as the case may be.

SECTION 3. Such sums, to be computed by the board, as shall be necessary to provide the pension payments under said retirement system on account of said messenger and each of said officers, shall, upon the retirement of said messenger or any such

officer, be provided by the commonwealth and by said city in the proportion that the compensation from each respectively bears to the total compensation of said messenger or officer, as the case may be.

SECTION 4. Forthwith after the effective date of this act the state treasurer, as custodian of the fund of the state retirement association, shall pay to the Boston retirement board the sum of the accumulated deductions of said messenger, with accrued interest. Said board shall forthwith deposit the same in said annuity savings fund to the credit of said messenger.

SECTION 5. Each such officer shall pay to said board, at such times and in such manner as it may prescribe, an amount equal to the sums, with interest thereon at the rate of four per cent per annum, which should have been withheld from his regular compensation by the commonwealth from October twenty-third, nineteen hundred and twenty-four, to the effective date of this act. All payments under this section shall be deposited by said board in said annuity savings fund to the credit of the officer making such payment.

SECTION 6. This act shall take effect upon its passage.

Approved June 16, 1938.

See 1943, ch. 204.

1938.— CHAPTER 453.

AN ACT ENLARGING THE BOSTON PORT AUTHORITY AND MAKING CERTAIN OTHER CHANGES IN THE LAWS RELATIVE TO SAID AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-nine of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section one and inserting in place thereof the following:—

Section 1. There is hereby established an unpaid board to be known as the Boston Port Authority, consisting of three persons to be appointed by the governor, with the advice and consent of the council, and four persons to be appointed by the mayor of the city of Boston. Said board shall elect one of its members to act as chairman. Upon the expiration of the term of office of any member, his successor shall be appointed for a term of seven years in the same manner as the member whose term expired. Any vacancy occurring in said board shall be filled for the remainder of the unexpired term by the governor, with the advice and consent of the council, or by the mayor, according as the original appointment was made. Any member of the board appointed by the governor as aforesaid may be removed by the governor, with the advice and consent of the council, and any member of the board appointed by the mayor may be removed in accordance with the provisions of section fourteen of chapter four hundred and eighty-six of the acts of nineteen hundred and nine.

SECTION 2. Section two of said chapter two hundred and twenty-nine is hereby amended by striking out, in the * twelfth and thirteenth lines, the words "With the assent and approval of the mayor, the" and inserting in place thereof the word:— The,— so as to read as follows:— *Section 2.* For the purposes of this act,

* The eleventh line in this compilation.

the port of Boston is hereby defined to be all of the tide water lying westerly of a line drawn between Point Allerton on the south and the southerly end of Point Shirley on the north and all parcels of land adjacent thereto and property thereon. The board shall, from time to time, investigate any and all matters relating to the port of Boston, particularly with reference to the unification of overseas terminals, belt line connections, condition and location of piers and channels, switching, floatage, lighterage, rates, rules, regulations and practices, dockage, wharfage, water front labor conditions, grain elevator and warehouse facilities. The board may initiate or participate in any rate proceedings, or any hearings or investigations, concerning the port of Boston, before any other body or official. The board shall report annually in December, or oftener if the board deems it necessary, to the governor, the general court and the mayor.

SECTION 3. Said chapter two hundred and twenty-nine is hereby further amended by striking out section three, as amended by section one of chapter two hundred and thirty-six of the acts of nineteen hundred and thirty, and inserting in place thereof the following:— *Section 3.* Said board shall have an office in the city of Boston and may employ a manager and such experts, counsel and other assistants and incur such other expenses, including those for advertising and publicizing the port of Boston, as it may deem necessary; provided, that chapter thirty-one of the General Laws and the rules and regulations made thereunder shall not apply to such employment or to persons so employed. All such expenses shall be paid by the city of Boston upon requisition by said board to the extent that appropriations therefor are available, but not exceeding in the aggregate in any one year the sum of one hundred thousand dollars; provided, that said board shall have the same right to incur expense in anticipation of its appropriation as if it were a regular department of said city. The commonwealth shall annually reimburse said city for one half of the money expended under authority of this section.

SECTION 4. Within thirty days after the effective date of this act one additional member of the Boston port authority, having such qualifications as are required to comply with section one, shall be appointed by the governor, with the advice and consent of the council, and one additional member of said authority, so qualified, shall be appointed by the mayor of the city of Boston, each for a term of two years; but nothing in this act shall affect the tenure of office of any of the present members of said authority.

SECTION 5. This act shall take effect upon its passage.

Approved June 23, 1938.

1938.—CHAPTER 479.

AN ACT FOR CODIFICATION, REVISION AND AMENDMENT OF THE LAWS RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS AND OTHER STRUCTURES IN THE CITY OF BOSTON.

This act (Boston Building Code) became effective, pursuant to s. 105 thereof, by acceptance by the City Council of Boston

on May 10, 1943 and approval by the Mayor on May 15, 1943.
See s. 103 as to effect of repeal on pending actions.

Section 105A, added by 1939, ch. 217, s. 1, as to authority to amend the Boston Building Code.

See Resolves, 1938, ch. 39; Acts 1941, ch. 373, s. 23; 1943, ch. 544; 1943, ch. 546.

RESOLVES, 1938.—CHAPTER 39.

RESOLVE RELATIVE TO THE METHOD OF ENGROSSMENT BY THE STATE SECRETARY OF A BILL ENTITLED "AN ACT FOR CODIFICATION, REVISION AND AMENDMENT OF THE LAWS RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS AND OTHER STRUCTURES IN THE CITY OF BOSTON", AND TO THE PRINTING AND PUBLICATION OF SUCH BILL UPON ITS BECOMING LAW.

Resolved, That the state secretary is hereby authorized and directed to prepare for enactment by the general court an exact copy of the bill of the current year entitled "An Act for Codification, Revision and Amendment of the Laws relative to the Construction, Alteration and Maintenance of Buildings and other Structures in the City of Boston", as passed to be engrossed by both branches, so far as possible by pasting a printed copy of said bill, as so passed, on the kind and size of paper specified in section twenty-three of chapter three of the General Laws, and the copy so prepared shall be deemed to have been fairly engrossed in compliance with said section twenty-three; and be it further

Resolved, That, notwithstanding, the provisions of sections two, three and four of chapter five of the General Laws, the state secretary shall not cause said bill, as enacted into law, to be printed and published, as provided in said sections, but shall print in the publications provided for by said sections, under the chapter number of said bill as enacted, its title, the date when it becomes law and an appropriate reference to this resolve; and he shall cause five hundred copies of said bill, as enacted, to be printed and published separately in such form as he may determine. He shall distribute the same in such manner as he may determine. Copies of said act so separately printed and published shall have the same force and effect as though printed and published in accordance with said sections.

Approved June 7, 1938.

See 1938, ch. 479; 1941, ch. 256.

RESOLVES, 1938.—CHAPTER 83.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL UNPAID COMMISSION RELATIVE TO THE OPERATION, FINANCING AND MAINTENANCE OF THE SUMNER TUNNEL, SO CALLED, IN THE CITY OF BOSTON.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and one person to be appointed by the governor,

is hereby established for the purpose of making an investigation of the operation, financing and maintenance of the Sumner Tunnel, so called, in the city of Boston, and related matters. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers; and may expend for clerical and other assistance and expenses such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be appropriated. The commission shall report to the general court the results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved July 5, 1938.

See Resolves 1939, chap. 71; Resolves 1941, chap. 20; Resolves 1943, chap. 25.

1939.—CHAPTER 131.

AN ACT RELATIVE TO THE DISPOSITION OF THE ACCUMULATED DEDUCTIONS OF DECEASED MEMBERS OF THE BOSTON RETIREMENT SYSTEM, SO CALLED, IN CERTAIN CASES.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as amended, is hereby further amended by inserting after section sixteen the following new section:— *Section 16A.* Any sum of money otherwise payable to the legal representative of a deceased member under section sixteen shall be paid, subject to the following conditions, to the beneficiary or beneficiaries nominated as hereinafter provided, if any, surviving at the death of such member, as appearing in the records of the retirement board, hereinafter called the board, at his death, and such payments shall bar the recovery by any other person of such sum. Any member, by a written instrument duly executed by him and filed with the board, prior to his death, upon a form furnished by the board, may nominate, and from time to time may change, one or more beneficiaries to receive, in designated proportion but not in the alternative, any such sum; provided, that only the wife, husband and kindred of such member shall be eligible to be nominated as his beneficiary or beneficiaries. The sum which would have been paid hereunder to any beneficiary if he had survived such member shall be paid to the legal representative of such member, subject to the conditions hereinafter set forth in this section. Any question arising hereunder as to survivorship shall be finally determined by the board. If any sum otherwise payable hereunder or under section sixteen to the legal representative of a member does not exceed three hundred dollars, and if there has been no demand upon the board for payment of such sum by a duly appointed executor or administrator of the estate of such member, and the board has not otherwise been informed that probate proceedings relative to such estate have been commenced, such sum may be paid, after

the expiration of three months from the date of death of such member, to the persons appearing in the judgment of the board to be entitled thereto, and such payments shall bar recovery by any other person.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 14, 1939.

Accepted by the City Council April 24, 1939.

Approved by the Mayor May 1, 1939.

See 1938, ch. 421; 1943, ch. 204.

1939.—CHAPTER 142.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and forty-nine of the acts of nineteen hundred and five, as amended by section one of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-seven, is hereby further amended by striking out the last sentence, as appearing in said chapter three hundred and sixty-six.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1939.

1939.—CHAPTER 148.

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY THE DORCHESTER HEIGHTS MONUMENT AND ADJOINING LAND IN THE CITY OF BOSTON TO THE UNITED STATES OF AMERICA FOR PRESERVATION AND MAINTENANCE AS A NATIONAL HISTORIC MONUMENT.

Be it enacted, etc., as follows:

The city of Boston is hereby authorized to convey, without monetary consideration, to the United States of America the Dorchester Heights monument, together with all the land included within Dorchester Heights or Telegraph Hill, so called, in the South Boston district of said city, comprising approximately two hundred and thirty-six thousand, three hundred and fifty-four square feet, and bounded southerly, westerly and northerly by Thomas park and easterly by land of said city now occupied by the South Boston high school, as shown on plate sixteen of the atlas of South Boston published by G. W. Bromley & Co. in the year nineteen hundred and ten, on condition that the United States of America shall preserve and maintain the said monument and said land as a national historic monument, under authority of an act of Congress known as Public-Number two hundred and ninety-two, Seventy-Fourth Congress, approved August twenty-first, nineteen hundred and thirty-five, in

commemoration of the evacuation of Boston by the British forces on March seventeenth, seventeen hundred and seventy-six.

Approved April 21, 1939.

1939.— CHAPTER 156.

AN ACT RELATING TO CONTRACTS ENTERED INTO ON BEHALF OF THE
COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section thirty and inserting in place thereof the following:— *Section 30.* Every officer or board in charge of a department in said city and every officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, when authorized to erect a new building or to make structural changes in an existing building, shall make contracts therefor, not exceeding five, each contract to be subject to the approval of the mayor; and when about to do any work or to make any purchase, the estimated cost of which alone, or in conjunction with other similar work or purchase which might properly be included in the same contract, amounts to or exceeds one thousand dollars, shall, unless the mayor gives written authority to do otherwise, invite proposals therefor by advertisements in the City Record. Such advertisements shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve the right to the officer, board or official to reject any or all proposals. No authority to dispense with advertising shall be given by the mayor unless the said officer, board or official furnishes him with a signed statement which shall be published in the City Record giving in detail the reasons for not inviting bids by advertisement.

SECTION 2. Chapter four hundred and eighteen of the acts of eighteen hundred and ninety is hereby amended by striking out section six and inserting in place thereof the following:— *Section 6.* All contracts made by any department of the city of Boston or by any officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of the city of Boston, shall, when the amount involved is two thousand dollars or more, be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor in writing is affixed thereto. All such contracts shall be accompanied by a suitable bond or deposit of money or other security for the faithful performance of such contracts, and such bonds or other security shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his or their bond, and the officer, board or official making the contract, with the approval of the mayor affixed thereto.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1939.

1939.— CHAPTER 173.

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF BOSTON, WITH THE APPROVAL OF THE MAYOR, TO FIX THE COMPENSATION TO BE PAID FOR CERTAIN SERVICES RENDERED OR WORK PERFORMED BY SAID CITY OR ANY DEPARTMENT THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ninety-seven of the acts of nineteen hundred and thirty-one is hereby amended by striking out section one and inserting in place thereof the following:—

Section 1. In the city of Boston the city council, with the approval of the mayor, shall have the power to fix the fees for licenses or permits for which a fee is collected at the date of the passage of this act under authority of statutes then existing in all cases where the entire proceeds of such fees form part of the income of the city, but excepting fees for marriage licenses or for licenses granted by the mayor under chapter four hundred and ninety-four of the acts of nineteen hundred and eight and its amendments and additions, and shall also have the power to fix the compensation to be paid for any services rendered or work performed by the city or any department thereof for any person or class of persons unless such service is rendered or work performed as part of the general services furnished for the benefit of the citizens of the city as a whole. Until action is taken under this act in respect to any fee subject to its provisions, the same shall remain as established on said date.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1939.

See 1910, ch. 571.

1939.— CHAPTER 186.

AN ACT WITH RESPECT TO THE ADMINISTRATION OF THE BOSTON PUBLIC SCHOOL TEACHERS' RETIREMENT FUND.

Be it enacted, etc., as follows:

Section ten of chapter two hundred and thirty-seven of the acts of nineteen hundred, as amended by section two of chapter one hundred and forty of the acts of nineteen hundred and twenty, is hereby further amended by adding at the end the following new paragraph:—

Upon the death, subsequent to January first, nineteen hundred and thirty-nine, of any teacher who shall have been a contributing member for two years or more, and who shall die while in the service of the city of Boston, not being in receipt of an annuity, the duly appointed representative of the estate of such teacher may, within one year after the death of such teacher, make an application in writing to said board of trustees to receive, for the benefit of the estate of such teacher, one half of the total amount paid by such teacher into said retirement fund. Said board of trustees may, in their discretion, grant or deny said application, in whole or in part. Upon the granting of said application, in whole or in part, by said board of trustees, said representative shall thereupon be

entitled to receive, for the benefit of said estate, from the retirement fund, in full release or satisfaction of any claims or rights against said fund, such sum as may be granted by said board of trustees, said sum to be computed and fixed by it, but in no event shall payment on any application so granted exceed one half of the aggregate of all said contributions made by said deceased teacher, or the sum of two hundred and seventy dollars.

Approved May 8, 1939.

1939.—CHAPTER 208.

AN ACT FURTHER EXTENDING THE TIME FOR THE ACQUISITION BY THE CITY OF BOSTON OF CERTAIN PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Not accepted.

See 1937, ch. 292; 1938, ch. 15; 1941, ch. 369; 1943, ch. 163.

1939.—CHAPTER 217.

AN ACT AUTHORIZING THE CITY OF BOSTON TO REGULATE BY ORDINANCE THE INSPECTION, MATERIALS, CONSTRUCTION, ALTERATION, REPAIR, HEIGHT, AREA, LOCATION AND USE OF BUILDINGS AND OTHER STRUCTURES.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight is hereby amended by inserting after section one hundred and five the following new section:—*Section 105A.* The city of Boston, for the purposes of the prevention of fire and the preservation of life, health and morals, or for any of such purposes, may from time to time, by ordinance and upon the written recommendation of the building commissioner or the board of appeal, regulate the inspection, materials, construction, alteration, repair, height, area, location and use of buildings and other structures in said city, except such buildings or structures as are excluded from the operation of this code by sub-section (a) of section one hundred and seven, and for any or all of said purposes may from time to time, by ordinance upon like written recommendation, alter, amend, extend or render ineffective any provision or provisions of this code regulating building and other structures as aforesaid.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1939.

1938, ch. 479 (Boston Building Code), became effective, pursuant to sec. 105 thereof, by acceptance by the City Council of Boston on May 10, 1943, and approval by the Mayor on May 15, 1943. See section 103, as to effect of repeal on pending actions.

See 1943, ch. 544; 1943, ch. 546.

1939.— CHAPTER 237.

AN ACT RELATIVE TO THE PENSIONING OF CERTAIN MEMBERS OF THE
FIRE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and forty-seven of the acts of eighteen hundred and ninety-two is hereby amended by striking out section one and inserting in place thereof the following:— *Section 1.* The fire commissioner of the city of Boston, with the approval of the mayor, shall have power to retire from office in the fire department any member thereof who has become disabled while in the actual performance of duty, or any member who has performed faithful service in the department for a period of not less than fifteen consecutive years, and shall in such case place the member so retired upon the pension roll. Any member may be placed on the pension roll when it shall be certified to the commissioner by the medical board established by section eighteen of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two that such member is permanently incapacitated, either mentally or physically, from performing his duties as a member of the department. If the said medical board certifies that the member is totally and permanently incapacitated for further performance of duty as a member of the department as the natural and proximate result of an accident or of undergoing a hazard peculiar to his employment in the performance and within the scope of his duty, without contributory negligence on his part, the amount of his annual pension shall be two thirds of the annual compensation allowed to men of the grade in which such member served. The pension of members of the permanent force who are otherwise disabled or who have served fifteen years shall be an amount not exceeding one half the annual salary or compensation of the office from which said members are retired.

SECTION 2. Section one of this act shall not apply to members of the fire department of the city of Boston who are members of the Boston retirement system established by chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two.

SECTION 3. This act shall take full effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter, but not otherwise. *Approved May 22, 1939.*

Accepted by the City Council, June 26, 1939.

Approved by the Mayor, July 7, 1939.

1939.— CHAPTER 332.

AN ACT RELATIVE TO CERTAIN APPOINTMENTS IN THE SERVICE OF
THE CITY OF BOSTON MADE BETWEEN THE TIME OF THE ELECTION
OF A NEW MAYOR AND HIS QUALIFICATION AND TO SALARY IN-
CREASES OF CERTAIN EMPLOYEES OF THE CITY OF BOSTON AND
COUNTY OF SUFFOLK MADE DURING SUCH PERIOD.

Be it enacted, etc., as follows:

SECTION 1. The term or tenure of office of the holder of any office or position in the service of the city of Boston who is appointed between an election at which a new mayor is elected as successor

to the mayor last previously elected and the qualification of such successor shall expire or terminate on January thirty-first next following such appointment by operation of law, notwithstanding the provisions of chapter thirty-one of the General Laws or any other provision of law. No increase in salary or compensation granted by the city of Boston or Suffolk county during any such period to any officer or employee paid by it or partly by said county and partly by the commonwealth, except step rate increases, so called, shall be effective after January thirty-first next following the end of such period.

SECTION 2. The provisions of this act shall not apply to appointments by the superintendent of schools of the city of Boston approved by the school committee of said city. *Approved June 30, 1939.*

1939.—CHAPTER 340.

AN ACT RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A STRUCTURE BRIDGING AVON STREET IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Upon petition and after seven days' notice published in at least three newspapers published in the city of Boston, and a public hearing thereon, the board of street commissioners of the city of Boston may, with the approval of the mayor, grant and issue a permit to Arthur G. Mitton and William O. Taylor, trustees of the Avon Street Trust under an agreement and declaration of trust dated December third, nineteen hundred and seven, and recorded with Suffolk deeds, book three thousand two hundred and fifty, page three hundred and thirty-one (an amendment of said agreement and declaration of trust having been recorded with said deeds, book four thousand eight hundred and sixty-two, page five hundred and thirty-two), and their successors, and to William A. Everett, Edward R. Mitton and Arthur C. Hallan, trustees of Andrews Real Estate Trust under an agreement and declaration of trust dated October thirty-first, nineteen hundred and thirteen, and recorded with Suffolk deeds, book three thousand seven hundred and sixty-seven, page four hundred and sixty-three, as amended by instruments, duly recorded with said deeds, and their successors, and to Jordan Marsh Company, a corporation duly established and existing under the laws of this commonwealth, or any one or more of them hereinafter referred to as the abutters, to build and, on such conditions and subject to such restrictions as said board may prescribe, permanently maintain a structure bridging Avon street in said city connecting buildings owned by the abutters, or some of them, on opposite sides of said street.

SECTION 2. No structure bridging said street under a permit issued as provided in section one of this act, shall be constructed or maintained at a height less than thirty feet above the grade line of said street, and no part of the bridge or its supports shall rest upon the surface of the street; nor shall any such structure be erected or maintained over any portions of said street not owned in fee by one or more of the abutters without the written consent

of the owners of such portions in each instance. Such consent of the city of Boston may be given by said board of street commissioners, with the approval of the mayor.

SECTION 3. This act shall take effect upon its passage.

Approved July 11, 1939.

1939.— CHAPTER 383.

AN ACT RELATIVE TO THE CARE, CUSTODY AND CONTROL OF THE SUFFOLK COUNTY COURT HOUSE.

Be it enacted, etc., as follows:

SECTION 1. The care, custody and control of the Suffolk county court house shall be in a commission, to consist of a person to be appointed by the chief justice of the supreme judicial court for a five year term, the sheriff of Suffolk county and a person to be appointed by the governor, with the advice and consent of the council, for a five year term. Said commission shall appoint a custodian and such other officers as it may deem necessary, determine their term or terms of service, and may remove them and appoint others in their place. The compensation of such custodian and other officers shall be fixed by said commission, and shall be paid by the city of Boston, subject to the provisions of section six of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five and subject also to the pertinent provisions of sections forty-eight to fifty-six, inclusive, of chapter thirty-five of the General Laws, as inserted by section five of chapter four hundred of the acts of nineteen hundred and thirty, and as amended.

SECTION 2. Chapter four hundred and fifty-three of the acts of eighteen hundred and ninety-four, as amended in section one by chapter five hundred and twenty-five of the acts of nineteen hundred and twenty-two, is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved July 25, 1939.

1939.— CHAPTER 411.

AN ACT CHANGING THE HARBOR LINE IN BOSTON HARBOR ON THE SOUTHERLY AND EASTERLY SIDES OF EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The harbor lines on the northerly side of Boston harbor are hereby changed and established as follows:—

The location of each of the angle points in the lines hereinafter described is fixed by a distance, hereinafter called longitude, in feet, from a meridian passing through the center of the apex of the dome of the State House in Boston, and by a distance, hereinafter called latitude, in feet, from a line at right angles to said meridian and passing through the said center of the apex of the State House dome, and the bearings refer to the true meridian passing through center of said apex. Beginning at point H in the pierhead line established by the secretary of war July twenty-seventh, eighteen hundred and eighty-nine, and located in latitude two thousand one hundred sixty-seven and five tenths feet north and longitude six thousand forty-eight and four tenths feet east; thence south fifty-six degrees

forty-four minutes four and four tenths seconds east, seven thousand eight hundred sixty-six and two tenths feet to point A in latitude two thousand one hundred forty-seven and two tenths feet south and longitude twelve thousand six hundred twenty-five and six tenths feet east, thence south forty-nine degrees fourteen minutes fifty-five seconds east, four thousand two hundred seventy-five and four tenths feet to point X in latitude four thousand nine hundred thirty-eight and one tenth feet south and longitude fifteen thousand eight hundred sixty-four and four tenths feet east, thence south seventy-four degrees east, four thousand five hundred thirty-three and seven tenths feet to point J in latitude six thousand one hundred eighty-seven and eight tenths feet south and longitude twenty thousand two hundred twenty-two and five tenths feet east, thence north nineteen degrees east, four thousand seven hundred thirty-one feet to point B in latitude one thousand seven hundred fourteen and five tenths feet south and longitude twenty-one thousand seven hundred sixty-two and eight tenths feet east, thence north forty-two degrees forty-three minutes three seconds west nine thousand one hundred seven feet to point C in latitude four thousand nine hundred seventy-six and five tenths feet north and longitude fifteen thousand five hundred eighty-four and seven tenths feet east, thence north eighty-two degrees twenty-five minutes one second west one thousand one hundred thirty-seven and seven tenths feet to point D in latitude five thousand one hundred twenty-six and six tenths feet north and longitude fourteen thousand four hundred fifty-seven feet east, thence south forty degrees twenty-one minutes west, one thousand one hundred forty-two and nine tenths feet to point E in latitude four thousand two hundred fifty-five and six tenths feet north and longitude thirteen thousand seven hundred seventeen feet east, thence south fifty-eight degrees nineteen minutes forty-nine seconds west, six hundred sixty-four feet to point F in latitude three thousand nine hundred seven feet north and longitude thirteen thousand one hundred fifty-one and nine tenths feet east, thence north seventy-six degrees forty minutes thirteen seconds west six hundred eighty-nine and seven tenths feet to point G in latitude four thousand sixty-six feet north and longitude twelve thousand four hundred eighty and eight tenths feet east, thence north thirty-one degrees forty minutes eleven seconds west six hundred eighty-nine and seven tenths feet to point S in latitude four thousand six hundred fifty-three feet north and longitude twelve thousand one hundred eighteen and seven tenths feet east, thence north thirteen degrees nineteen minutes fifty-seven seconds east six hundred eighty-nine and seven tenths feet to point T in latitude five thousand three hundred twenty-four feet north and longitude twelve thousand two hundred seventy-seven and seven tenths feet east, thence north fifty-eight degrees nineteen minutes forty-eight seconds east three thousand forty-seven and two tenths feet to point U in latitude six thousand nine hundred twenty-three and nine tenths feet north and longitude fourteen thousand eight hundred seventy-one and two tenths feet east, said point U being a point in the pierhead and bulkhead line approved by the secretary of war June thirtieth, nineteen hundred and sixteen, thence north twenty-one degrees six minutes four seconds east, along aforesaid pierhead and bulkhead line, two thousand seven hundred sixty and three tenths feet to point R-2 in latitude nine thousand four hun-

dred ninety-nine and two tenths feet north and longitude fifteen thousand eight hundred sixty-four and nine tenths feet east. Said point R-2 is marked with a granite monument marked U. S. E.

SECTION 2. The harbor line established by section one of chapter thirty of the acts of nineteen hundred and twenty-two is hereby repealed.

Approved August 3, 1939.

1939.— CHAPTER 412.

AN ACT REGULATING THE HEIGHT OF BUILDINGS AND OTHER STRUCTURES WITHIN A CERTAIN DISTANCE OF THE BOSTON AIRPORT, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Unless the context otherwise requires, in this act the following words and phrases shall have the following meanings:—

“Center of the Boston airport”, a point in the surface of said airport located exactly at north latitude forty-two degrees, twenty-two minutes, zero seconds, west longitude seventy-one degrees, one minute, zero seconds, North American nineteen hundred and twenty-seven datum.

“Boston airport”, shall include the surface of all land, flats and water, within a radius of three thousand feet from the center of the Boston airport as defined in the preceding paragraph.

“Boston airport approach zones”, the zones hereinafter described, being respectively all the areas within the following distances from the center of the Boston airport:

“Zone one”, over three thousand feet but not over six thousand feet;

“Zone two”, over six thousand feet but not over nine thousand feet;

“Zone three”, over nine thousand feet but not over twelve thousand feet;

“Zone four”, over twelve thousand feet but not over fifteen thousand feet;

“Zone five”, over fifteen thousand feet but not over eighteen thousand feet;

“Zone six”, over eighteen thousand feet but not over twenty-one thousand feet.

SECTION 2. Grade sixteen, Boston city base, for the purposes of this act is deemed to be the grade of the surface of the Boston airport.

SECTION 3. Except as necessary for airport purposes and except as approved by the commissioner of public works, after due notice and hearing as provided in sections five and six, and except as hereinafter provided, no building or structure shall be erected or altered on the Boston airport defined in section one, so that any portion of such building or structure shall be at a greater elevation than grade eighteen, Boston city base.

SECTION 4. Except as provided in sections five and six, and except as otherwise provided in this section, the height in feet above grade sixteen, Boston city base, of any building or structure hereafter erected or altered in height in any of the Boston airport approach zones defined in section one shall not exceed the following:

In zone one, one fiftieth of the horizontal distance in feet of its nearest portion from the nearest edge, vertically projected of the Boston airport as defined in section one.

In zone two, sixty feet plus one fortieth of said distance from the nearest edge of zone one.

In zones three and four, one hundred and thirty-five feet plus one thirtieth of said distance from the nearest edge of zone two, except that there may be erected hereafter in said zone three on premises owned and used by electric companies on July first, nineteen hundred and thirty-nine, for the generation of electricity, chimneys or stacks for such use, provided the height in feet of such chimneys or stacks above said grade sixteen shall not exceed two hundred and fifty feet.

In zones five and six, three hundred and thirty-five feet plus one twentieth of said distance from the nearest edge of zone four.

Notwithstanding the provisions of this section, any building or structure may be erected or altered to a height of not more than fifty feet above the existing ground level in zone two and in zone three. The provisions of this section shall not be deemed to authorize any increase in the height of any building in existence on September first, nineteen hundred and thirty-nine, or the construction of any building, beyond the height permitted in any locality by any zoning law, ordinance or by-law, applicable to such building or locality for the time being.

None of the provisions of this act shall apply to any part of Cambridge or Somerville, to any of that part of Boston known as Charlestown, or to any of that part of Boston bounded northerly by the Charles river, easterly by the waterfront, southerly by Fort Point channel, and westerly by Massachusetts avenue; nor shall any of said provisions apply, except as to the Boston airport defined in section one, to that part of the district in Boston known as East Boston lying southwesterly of a straight line running from said airport in a northwesterly direction along the center line of Porter street to Meridian street, and westerly of a line running in a northerly direction along the center line of Meridian street from its intersection with the said center line of Porter street to the middle of the channel of Chelsea creek.

SECTION 5. The commissioner of public works, in this and the two following sections called the commissioner, after due notice and hearing, may make rules and regulations necessary to carry out the provisions of this act and to establish building heights, consistent with sections one to four, inclusive, permitted in the zones defined therein or in any subdivision of any of said zones; but no such rule or regulation shall reduce the height to which buildings or structures may be erected or altered in accordance with the provisions of section four. The commissioner, upon petition and after hearing of which due notice is given, may, up to the limits provided by zoning laws, ordinances or by-laws, in effect in the several cities and towns within the Boston airport approach zones defined in section one, by order permit a building to be erected or altered on any parcel of real estate to a greater height than that permitted under the provisions of section four; provided, that he finds that the safety of aircraft landing at and taking off from the Boston airport will not thereby be substantially impaired, or rules that such order is necessary to secure to the owner of such real estate his

constitutional rights with reference thereto. Notice by registered mail of any such rule, regulation or order shall be sent forthwith to the officer having supervision of the construction of buildings in each city and town in which is situated any real estate affected thereby and also to the office, board or commission having control of the Boston airport. Like notice of action or refusal to act on any such petition shall be sent forthwith by registered mail to such officer, to said office, board or commission and to each petitioner. No provision of this act, and no rule or regulation adopted under this section, shall require a reduction in the height of any building or other structure existing or in process of construction, alteration or repair, on September first, nineteen hundred and thirty-nine, or immediately replacing such a building or structure on the same area to the same or a less height.

SECTION 6. Any person aggrieved by a rule, regulation, order or ruling of the commissioner under section five, or by his refusal to make an order thereunder may, within thirty days after the service of notice thereof by registered mail upon such person or at any time prior to such service, appeal therefrom by petition in equity to the superior court for the county wherein the building or structure to which such rule, regulation, order or ruling, or petition for order relates is situated; and, after such notice as said court shall direct to all parties interested, including the city of Boston whether or not it is the petitioner, a hearing may be had before the court at an early and convenient time and place fixed by it, and said court may by its decree annul, affirm or alter such rule, regulation, order or ruling of the commissioner, in which case the decree of the court shall have the same authority, force and effect as the original rule, regulation, order or ruling of the commissioner; or said court may direct the commissioner to make such order as law and justice may require.

SECTION 7. The superior court shall have jurisdiction in equity to enforce sections one to six, inclusive, and the rules, regulations and orders made thereunder by the commissioner, and to restrain the violation thereof.

SECTION 8. This act shall take effect on September first in the current year.

Approved August 3, 1939.

See 1941, ch. 15; 1941, ch. 695; 1943, ch. 528.

1939.—CHAPTER 423.

AN ACT RELATIVE TO CERTAIN COUNTY, CITY, TOWN AND DISTRICT LOANS FOR FEDERAL AID PROJECTS, SO CALLED.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and four of the acts of nineteen hundred and thirty-five is hereby amended by striking out section nine, as amended by section one of chapter fifty of the acts of nineteen hundred and thirty-eight, and inserting in place thereof the following:—*Section 9.* Wherever, in Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, and acts in amendment thereof and in addition thereto, reference is made to the National Industrial Recovery Act or any

title or part thereof, or to the Emergency Relief Appropriation Act of 1935, such reference shall be deemed and held to refer also to all acts and joint resolutions of Congress enacted during nineteen hundred and thirty-six, nineteen hundred and thirty-seven, nineteen hundred and thirty-eight, nineteen hundred and thirty-nine and nineteen hundred and forty, authorizing grants or loans of federal money for public projects.

SECTION 2. Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three is hereby amended by striking out section two, as most recently amended by chapter eighty-three of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following:—*Section 2.* Any county, except Suffolk or Nantucket, if authorized by the county commissioners, or any city or town, including Boston and Worcester, if authorized by a two thirds vote as defined in section one of chapter forty-four of the General Laws, with the approval of the mayor of such a city, may engage in any public works project included in any "comprehensive program of public works" prepared under section two hundred and two of Title II of the National Industrial Recovery Act and in any useful public project authorized under the joint resolution of Congress known as the Emergency Relief Appropriation Act of 1935, but only in case such project is approved, as hereinafter provided, by the board and by the governor and in case the proper federal authorities have approved a grant or loan therefor of federal money under section two hundred and three of said Title II or under said joint resolution, as the case may be. Such projects, so approved, shall be carried out in all respects subject to the provisions of said Title II or of said joint resolution, as the case may be, and to such terms, conditions, rules and regulations, not inconsistent with applicable federal laws and regulations, as the board may establish, with the approval of the governor, to ensure the proper execution of such projects. Any such county, city or town may accept and use for carrying out any project so approved any grant or loan, or any grant and loan, of federal funds under section two hundred and three of said Title II or under said joint resolution, as the case may be; and, for the purpose only of carrying out such project, may borrow from the United States of America or other sources, or both, such sums as may be fixed by the board as hereinafter provided, and may issue bonds, notes or other forms of written acknowledgment of debt for such terms and carrying interest at rates not exceeding such rates as may be fixed by the board as hereinafter provided.

Any city or town may borrow hereunder for projects for which borrowings are authorized by section seven of said chapter forty-four and for other projects for which borrowings are not authorized by section eight of said chapter, amounts not exceeding in the aggregate outstanding at any one time one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount within its debt limit, as determined in accordance with said section ten, not then borrowed or authorized by such city or town to be borrowed; and any city or town may borrow hereunder for projects of any class

for which borrowings are authorized by section eight of said chapter, water projects being treated as a single class for the purposes hereof, amounts not exceeding in the aggregate outstanding at any one time one per cent of the last preceding assessed valuation of such city or town, without affecting its future borrowing capacity, and in addition, after such limit of one per cent is reached, may so borrow therefor so much as may be required of any amount authorized by said section eight for such class of projects not then borrowed or authorized by such city or town to be borrowed, and no borrowing hereunder for any project for which borrowings are authorized by said section eight shall be reckoned in determining the borrowing capacity of such city or town under said section ten.

In case a loan shall represent borrowings both within and beyond either of the said special one per cent limits, and such loan shall be later reduced, through the retirement of bonds, notes or other forms of written acknowledgment of debt, or otherwise, such reduction shall be deemed to have been made wholly in respect of that portion of the loan which represented borrowing beyond the said special one per cent limit so long as any of the said portion remains outstanding. In fixing the periods for which money may be borrowed hereunder for projects for which borrowings are not authorized by said chapter forty-four, the board shall be guided by the above limitations as applied to the provisions of said chapter applicable to like projects.

The board shall fix the terms of and maximum rates of interest on the bonds, notes or other forms of written acknowledgment of debt issued hereunder; which terms and rates of interest, in case of obligations to be issued to the United States of America, shall be fixed in accordance with the applicable federal laws and regulations and subject to the approval of the proper federal authorities. All the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, that no loan shall be authorized unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the city or town has been appropriated or voted to be raised by taxation, shall apply to any borrowing hereunder by any city or town, including Boston and Worcester, except as hereinbefore provided and, in respect of any borrowing from the United States of America, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations.

Each county, city or town seeking the approval of any projects by the board shall submit to it all information required with respect to the financial condition of such county, city or town, its outstanding indebtedness within and without its limit of indebtedness, if any, the estimated cost of the project, the alleged necessity therefor, and the proposed method of financing the same. In granting or withholding its approval, the board shall take into consideration, among other things, the necessity of the proposed project, the ability of such county, city or town to finance the same, the extent to which the carrying out of the project will tend to relieve unemployment and the extent to which the maintenance of the project when completed will tend to increase or decrease the annual expenditures of such county, city or town and to increase or decrease the tax burden upon its inhabitants.

Approved August 3, 1939.

See 1938, ch. 395; 1938, ch. 398; 1941, ch. 148; 1941, ch. 639.

1939.—CHAPTER 482.

AN ACT RELATIVE TO REMOVAL OF THE ATLANTIC AVENUE ELEVATED STRUCTURE SO-CALLED IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The right of the Boston Elevated Railway Company, hereinafter called the company, to construct, maintain and operate its elevated railway structure located in or upon Commercial street, Atlantic avenue, Beach street and Harrison avenue and public or private lands or ways in the city of Boston between cross girder number 164 over 201 east of Keany square and cross girders numbers 1E and 1W near Washington street, hereinafter called the structure, is hereby declared forfeited, said structure no longer being operated in the public service for the purpose for which the franchise of the company to operate an elevated structure on the said location was granted, and constituting a nuisance in the public highway and unreasonably interfering with the enjoyment and use of said highway to the detriment of the public health and safety. The said location and the right of the company to construct, maintain and operate an elevated railway structure thereon are hereby revoked.

SECTION 2. The company, acting by its board of directors, may, within thirty days of the effective date of this act, file a petition in equity in the supreme judicial court to determine whether there is just cause for the revocation and declaration of forfeiture provided for in section one. The supreme judicial court shall have jurisdiction in equity to determine the issues raised in such petition and to affirm, modify, or annul the said revocation and declaration of forfeiture, and service of an order of notice upon the state secretary shall be sufficient. Upon the filing of such a petition the court may stay any action under the following sections of this act until such time as the issues raised in such petition have been finally determined, or for any shorter period as justice may require. If a jury trial shall be claimed by the company the court may transfer said cause to the superior court for trial.

SECTION 3. Within thirty days after the expiration of the period within which a petition under the preceding section may be filed, without the filing of any such petition, or within thirty days after the final disposition of proceedings upon such a petition dismissing it or otherwise sustaining the forfeiture and revocation provided for in section one, the company shall proceed without delay at its own expense to remove said structure above its foundations and to put the surface of the public ways disturbed by such removal into as good condition as the adjacent surface of said ways, and to restore to good condition sidewalks and buildings affected by such removal. If the company fails to begin the removal, as herein directed, or to complete it within one year thereafter, the transit department of the city of Boston shall remove the structure at the expense of the company, and such expense shall be recoverable from the company in an action at law.

SECTION 4. To carry out the duties imposed upon it by section three the transit department of the city of Boston may make a

contract or contracts in the name of the city for the removal of said elevated structure and its appurtenances, above the foundation of said structure, for the sale of the material removed, and for restoring to good condition the streets, sidewalks and buildings affected by such removal. Every such contract shall be accompanied by a suitable bond or deposit of money or other security for the faithful performance of such contract. Every such contract involving two thousand dollars or more in amount shall be advertised in two or more newspapers for proposals for the performance of the work and shall be awarded to the responsible and eligible bidder submitting the bid most favorable to the city and shall be entered into by an instrument in writing signed by the majority of the transit department and approved in writing by the mayor. No such contract shall be altered except by written instrument signed by the contractor and a majority of the transit department and approved in writing by the mayor, and also by the surety, if any, on the bond given by the contractor for the completion of the original contract.

The transit department in its discretion may take charge of and do the work of removal and of restoring to good condition the streets, sidewalks and buildings affected by such removal or any of them.

The transit department may sell as salvage or otherwise the structure and any appurtenances thereof. The proceeds of such sales shall be used to pay the cost of removal or shall be credited against such cost. In the event that such proceeds exceed such cost, the excess shall be turned over to the treasurer of said city and credited to the Special Account, Sales of City Property, as carried on the books of said city.

The cost of removal shall be deemed to include all expenditures and charges incurred by the transit department in the name or on behalf of the city for the removal of the structure and the restoration of streets, sidewalks and buildings affected by such removal, including such proportion of the salaries and expenses of the transit department as in its opinion may properly be chargeable thereto.

The treasurer of the city from time to time on the written request of the transit department, approved in writing by the mayor, shall advance such sums as may be required by the said department from the Special Account, Sales of City Property, or from other available moneys in the treasury of said city. At the completion of the work the net cost, if any, after crediting the proceeds of sale, as above provided, shall be recoverable from the company by an action at law as hereinbefore provided.

SECTION 5. This act shall take effect upon its passage.

Approved August 12, 1939.

310 Mass. 528, 531, 535, 542, 543, 547, 548, 554, 555, 557-59, 561, 566, 569.

Section 1, 310 Mass. 531, 539, 540, 542, 554, 558, 585-587.

Section 2, 310, Mass. 531, 533, 535, 541, 543, 587.

Section 3, 310, Mass. 531-533, 587.

Section 4, 310 Mass. 532, 533, 587.

RESOLVES OF 1939.— CHAPTER 71.

RESOLVE PROVIDING FOR THE REIMBURSEMENT IN PART OF THE CITY OF BOSTON BY THE COMMONWEALTH FOR EXPENSES INCURRED BY SAID CITY IN THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL THEREIN.

Resolved, That, subject to appropriation, there be allowed and paid by the commonwealth from the Highway Fund to the city of Boston the sum of one hundred thousand dollars, to reimburse said city in part for expenses incurred by it in the operation and maintenance of the vehicular tunnel between Boston proper and East Boston, known as the Sumner tunnel, one half of said sum to be paid as aforesaid on September first in the current year and one half on July first in the year nineteen hundred and forty.

Approved August 12, 1939.

See Resolves 1938, ch. 83; Resolves 1941, ch. 20; Resolves 1943, ch. 25.

* * * * *

There was no regular assembly of the General Court in the year 1940, pursuant to the provisions of Article LXXII of the articles of amendment to the Constitution of Massachusetts providing for Biennial Sessions after the year 1939. Article LXXII was approved by the people at the State election held November 8, 1938.

1941.— CHAPTER 15.

AN ACT AUTHORIZING AND EMPOWERING THE CITY OF BOSTON TO TRANSFER TO THE UNITED STATES OF AMERICA A CERTAIN LOT OF LAND IN EAST BOSTON AND CEDING JURISDICTION OF THE SAME.

Whereas, The deferred operation of this act would tend to defeat its purpose, which, in view of the present national emergency, is to make available at once to the war department land on which to build a military hangar at the Boston Airport, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and safety.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized and empowered to transfer to the United States of America, with or without monetary consideration and subject to such terms and conditions as the mayor and city council of said city shall in writing approve, for airport purposes, a certain lot or parcel of land situated in that part of said city known as East Boston, being a portion of a lot of land containing approximately four hundred and seventy thousand eight hundred and ninety-five square feet, which was taken by eminent domain in fee simple for airport purposes by an order of the board of street commissioners of said city approved January twenty-second, nineteen hundred and thirty-two, the instrument of taking for said lot being recorded with Suffolk registry of deeds, book 5313, page 63; the lot hereby authorized to be trans-

ferred being bounded and described as follows:—Starting at a point on the southeasterly boundary line of the location of the Boston, Revere Beach and Lynn Railroad Company, said point being distant northeasterly one hundred and ninety feet from the present northeasterly side line of Porter street; thence running northeasterly by the said line of the location of the Boston, Revere Beach and Lynn Railroad Company, two hundred and twenty feet; thence turning and running southeasterly parallel with Porter street, two hundred and sixty and ten one hundredths feet; thence turning and running southwesterly by land of the commonwealth of Massachusetts, two hundred and twenty feet; thence turning and running northwesterly by other land of the commonwealth of Massachusetts, two hundred and sixty and ten one hundredths feet to the point of beginning; containing fifty-seven thousand two hundred and twenty-two square feet of land, more or less.

SECTION 2. Upon the transfer of the area described in section one to the United States of America and the filing of a copy of a plan of such area by said United States, acting by its properly authorized agent, in the office of the state secretary, jurisdiction over said area shall be granted and ceded to said United States, but upon the express condition that the commonwealth shall retain concurrent jurisdiction with said United States in and over said area, in so far that all civil processes, and such criminal processes as may issue under the authority of the commonwealth against any person or persons charged with crimes committed without said area and all processes for the collection of taxes levied under authority of the laws of the commonwealth, including the service of warrants, may be executed thereon in the same manner as though this cession had not been made; provided, that the title to, and the exclusive jurisdiction over, said area shall revert to and revest in said city of Boston whenever said area shall cease to be used by said United States for airport purposes.

The United States government is hereby authorized to fill the area referred to in section one in accordance with plans to be filed with and approved by the state department of public works and to place such structures in or over such area as may be necessary for the purpose for which the same is authorized to be transferred.

Approved February 13, 1941.

See 1941, ch. 695; 1943, ch. 528.

1941.—CHAPTER 110.

AN ACT FURTHER PROVIDING FOR REMOVING OR PLACING UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and one of the acts of nineteen hundred and thirty-one, as amended by section one of chapter one hundred and ten of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the fourth line, the word “forty-one” and inserting in place thereof the word:—forty-six, — so as to read as follows:—*Section 1.* In the month of

January in the year nineteen hundred and thirty-two, and in said month in each year thereafter, to and including the year nineteen hundred and forty-six, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week, for two weeks in succession, of not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

SECTION 2. Section two of said chapter one hundred and one, as amended by section two of said chapter one hundred and ten, is hereby further amended by striking out, in the seventh line, the word "forty-one" and inserting in place thereof the word:—forty-six,—so as to read as follows:—*Section 2.* The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and thirty-two to nineteen hundred and forty-six, inclusive.

SECTION 3. This act shall take effect upon its passage.

Approved March 17, 1941.

1943, ch. 26, suspends the operation of this act during the present war emergency.

1941.—CHAPTER 139.

AN ACT RELATIVE TO THE DATES AS OF WHICH AMOUNTS TO BE PAID OR REPAID ON ACCOUNT OF DEFICITS IN THE COSTS OF OPERATION OF THE BOSTON ELEVATED RAILWAY COMPANY SHALL BE DETERMINED.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen is hereby amended by striking out section eleven, as most recently amended by section one of chapter ninety-nine of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following section:—*Section 11.* If, as of the last day of June in the year nineteen hundred and nineteen, or as of the last day of any June thereafter to and including the last day of June in the year nineteen hundred and thirty-four, or as of the last day of March in any year after the year nineteen hundred and thirty-four to and including the last day of March in the year nineteen hundred and forty-one, or as of the last day of December in the year nineteen hundred and forty-one, or as of the last day of December in any year after the year nineteen hundred and forty-one, the amount remaining in the reserve fund shall be insufficient to meet the deficiency mentioned in section nine, it shall be the duty of the trustees to notify the treasurer and receiver general of the commonwealth of the amount of such deficiency, less the amount, if any, in the reserve fund applicable thereto, and the commonwealth shall thereupon pay over to the company the amount so ascertained. Pending such payment it shall be the duty of the trustees to borrow

such amount of money as may be necessary to enable them to make all payments, including dividend payments, as they become due. If, as of the last day of any June in any year after the year nineteen hundred and nineteen to and including the last day of June in the year nineteen hundred and thirty-four, or as of the last day of March in any year after the year nineteen hundred and thirty-four to and including the last day of March in the year nineteen hundred and forty-one, or as of the last day of December in the year nineteen hundred and forty-one, or as of the last day of December in any year after the year nineteen hundred and forty-one, during the period of public operation, the reserve fund shall exceed the amount originally established, the trustees shall apply the excess, so far as necessary, to reimbursing the commonwealth for any amounts which it may have paid to the company under the provisions hereof, and the commonwealth shall thereupon distribute the amount so received among the cities and towns in which the company operates, in proportion to the amounts which they have respectively been assessed as provided in section fourteen.

In order to meet any payment required of the commonwealth under the provisions of this section the treasurer and receiver general may borrow at any time, in anticipation of the assessments to be levied upon the cities and towns, such sums of money as may be necessary to make said payments, and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient.

SECTION 2. This act shall take full effect upon its acceptance by the Boston Elevated Railway Company by vote of its board of directors and upon the filing of a certificate of such acceptance with the state secretary; provided, that such acceptance and filing occur during the current year.

Approved March 25, 1941.

Accepted by the Boston Elevated Railway Company June 23, 1941.
Acceptance filed June 23, 1941.

1941.— CHAPTER 140.

AN ACT PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS UNDER WHICH THE BOSTON ELEVATED RAILWAY COMPANY IS USING CERTAIN ALTERATIONS IN AND EXTENSIONS TO THE BOYLSTON STREET SUBWAY AND MAKING CERTAIN CHANGES RELATIVE TO PAYMENTS IN CONNECTION WITH SUCH USE.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five, as most recently amended by section one of chapter one hundred of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out the words inserted by said section one of said chapter one hundred and inserting in place thereof the following:— The rental shall be payable annually on the twenty-fifth day of July in each year to and including the year nineteen hundred and thirty-four, and on the twenty-fifth day of April in each year thereafter to and including the year nineteen hundred and forty-one, and on the twenty-fifth day of January in each year thereafter. Any alteration or extension made under this act shall be deemed a part

of the Boylston Street subway. Such contract for use shall provide that the company shall pay to the city of Boston for each full year ending with the last day of June to and including the last day of June, nineteen hundred and thirty-four, and ratably for the nine months' period commencing on July first, nineteen hundred and thirty-four, and ending with the last day of March, nineteen hundred and thirty-five, and for each full year ending with the last day of March thereafter to and including the year nineteen hundred and forty-one, and ratably for the nine months' period commencing on April first, nineteen hundred and forty-one and ending with the last day of December, nineteen hundred and forty-one, and for each full year thereafter, and ratably for any portion of a year, an annual rental, which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of such alterations and extensions in addition to the annual amount of interest on the subway bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of June in any year to and including the year nineteen hundred and thirty-four or on the last day of March in any year thereafter to and including the year nineteen hundred and forty-one, or on the last day of December, nineteen hundred and forty-one, or on the last day of December in any year thereafter, the amount originally established, such excess to be determined and obligation to pay such rental to accrue in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing proviso the company does not make the full rental payments as above provided, the commonwealth shall, during the term of said contract and until the subway bonds issued by the city of Boston under this section shall have been paid, or a sinking fund accumulated sufficient to pay the same at maturity, pay to the city of Boston on or before August first in each year to and including the year nineteen hundred and thirty-four, and on or before May first in each year thereafter to and including the year nineteen hundred and forty-one, and on or before February first in each year thereafter, one half of any amounts so unpaid, and the city of Boston shall place the other half in its next ensuing tax levy.

SECTION 2. Said chapter three hundred and forty-one is hereby further amended by striking out section three, as most recently amended by section two of said chapter one hundred, and inserting in place thereof the following section:—*Section 3.* If, as of the last day of June in any year to and including the year nineteen hundred and thirty-four, or as of the last day of March in any year thereafter to and including the year nineteen hundred and forty-one, or as of the last day of December, nineteen hundred and forty-one, or as of the last day of December in any year thereafter, during the period of public operation of the company under the provisions of said chapter one hundred and fifty-nine, the

reserve fund provided for in said chapter shall, after deducting the amount of the rental herein provided for, exceed the amount originally established, the trustees of the Boston Elevated Railway Company shall apply the excess, so far as necessary, to reimburse the commonwealth for all amounts paid by the commonwealth to the city of Boston under the provisions of section two of this act, and in priority to any reimbursement of the commonwealth under sections eleven and thirteen of said chapter one hundred and fifty-nine.

SECTION 3. Said chapter three hundred and forty-one is hereby further amended by striking out section five, inserted by section three of chapter three hundred and ninety-four of the acts of nineteen hundred and thirty, and as amended by section three of said chapter one hundred, and inserting in place thereof the following section:— *Section 5.* Upon and after such termination of public operation, the company shall, on or before the thirty-first day of January in each year, report to the state treasurer the amount, if any, by which said reserve fund on the preceding thirty-first day of December, after deducting the amount of the rental herein provided for, exceeded the amount originally established, and the company shall thereupon pay over such excess in so far as necessary to reimburse the commonwealth for all amounts paid after such termination of public operation by the commonwealth to the city of Boston under the provisions of section two of this act. If the state treasurer or the attorney general is not satisfied as to the correctness of said report, either may, at any time within sixty days after its receipt, petition the department of public utilities for a determination of such excess and said department shall determine the same. If the amount of such excess, so determined, is greater than the amount originally reported, the balance shall be paid by the company to the commonwealth within twenty days from the date of such determination.

SECTION 4. The acceptance of this act by the Boston Elevated Railway Company and the city of Boston, as hereinafter provided, shall constitute an agreement on the part of the city and the company to execute a contract modifying, in accordance with the provisions of this act, the existing contract between the city and the company for the use of the alterations and extensions of the Boylston Street subway made pursuant to the provisions of said chapter three hundred and forty-one, as amended.

SECTION 5. This act shall take full effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year.

Approved March 25, 1941.

Accepted by the City Council June 9, 1941.

Approved by the Mayor June 10, 1941.

Accepted by the Company June 23, 1941.

Acceptance of the City filed June 12, 1941.

Acceptance of the Company filed June 23, 1941.

1941.—CHAPTER 148.

AN ACT PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS UNDER WHICH THE BOSTON ELEVATED RAILWAY COMPANY HAS BEEN GRANTED THE USE OF CERTAIN SUBWAY PREMISES AND EQUIPMENT, AND MAKING CERTAIN CHANGES RELATIVE TO PAYMENTS IN CONNECTION WITH SUCH USE.

Be it enacted, etc., as follows:

SECTION 1. Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three is hereby amended by striking out section seven, as affected by chapter one hundred and fifty-nine of the acts of nineteen hundred and thirty-seven and by chapter three hundred and ninety-five of the acts of nineteen hundred and thirty-eight, and as amended by section one of chapter three hundred and ninety-eight of the acts of nineteen hundred and thirty-eight, and inserting in place thereof the following section:— *Section 7.* No construction work shall be done under Part II of this act, however, unless and until a plan therefor shall be approved by the commission of the department of public utilities and the mayor of the city and unless and until a contract between the city and the company shall have been executed for the sole and exclusive use by the company of the premises and equipment for a term beginning with the use thereof and ending upon the termination of the lease or contract for use as at present extended of the Boylston street subway. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the consent thereto of the company in writing nor at any time except with the approval of said emergency finance board, the governor and such approvals as may be required under the provisions of the National Industrial Recovery Act or regulations made thereunder. The contract shall be in the same general form as that authorized by said chapter four hundred and eighty, except in so far as any other provision may be agreed upon by the department and the company as specially applicable to the demised premises. The net cost of the premises and equipment shall be determined in the manner provided in said chapter four hundred and eighty, except that there shall be deducted from the amount so determined all amounts received by the city as direct grants, or by remission of bonds or other obligations, or in any manner or form whatsoever amounting in substance directly or indirectly to a contribution to the cost of the premises and equipment under the National Industrial Recovery Act. The rental shall be payable annually on the twenty-fifth day of April in each year to and including the year nineteen hundred and forty-one and on the twenty-fifth day of January in each year thereafter. Such contract for use shall provide that the company shall pay to the city for each full year ending with the last day of March to and including the year nineteen hundred and forty-one, and ratably for the nine months' period commencing on April first, nineteen hundred and forty-one and ending with the last day of December, nineteen hundred and forty-one, and for each full year thereafter, and ratably for any portion of a year, an annual rental which shall be sufficient to provide an amount equal to one half of one per cent of the net cost of the

premises and equipment in addition to the annual amount of interest on bonds issued to pay for said net cost, but not less than four and one half per cent of said net cost in any event; provided, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of March, nineteen hundred and forty-one, or on the last day of December, nineteen hundred and forty-one, or on the last day of any December thereafter, the amount originally established; and provided, further, that such excess shall be determined and the obligation to pay the rental shall accrue only after deducting from said reserve fund the full amount of the rental payable under any contracts executed under the authority of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five, as amended, and after fully reimbursing the commonwealth as provided in sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing provisos the company is not required to make the full rental payment as above provided for the premises and equipment authorized by this act, the city shall place any amounts so unpaid in its next ensuing tax levy.

SECTION 2. The acceptance of this act by the Boston Elevated Railway Company and the city of Boston, as hereinafter provided, shall constitute an agreement on the part of the city and the company to execute a contract modifying in accordance with the provisions of this act the existing contract between the city and the company for the use by the company of the premises and equipment authorized to be acquired, constructed and provided pursuant to the provisions of Part II of said chapter three hundred and sixty-six, as amended.

SECTION 3. This act shall take effect upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances, approval and filing occur during the current year.

Approved March 31, 1941.

Accepted by the City Council May 26, 1941.

Approved by the Mayor May 27, 1941.

Accepted by the Company June 23, 1941.

Acceptance of the City filed May 29, 1941.

Acceptance of the Company filed June 23, 1941.

See 1938, ch. 50; 1939, ch. 423; 1941, ch. 639.

1941.— CHAPTER 178.

AN ACT RELATIVE TO THE CONSTRUCTION, RECONSTRUCTION, ALTERATION AND REPAIR OF CERTAIN BRIDGES BETWEEN THE CITIES OF BOSTON AND CHELSEA, PURSUANT TO ANY ORDER OF THE SECRETARY OF WAR.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and eighty-one of the acts of nineteen hundred and eleven is hereby amended by striking

out section one and inserting in place thereof the following new section:—*Section 1.* Upon the application of the city of Boston, after a vote thereupon by its city council, to any justice of the supreme judicial court, and after notice to and hearing of the cities of Boston, Chelsea and Revere, and the town of Winthrop, and such other cities and towns and street railway corporations as are affected by the application, said court shall, from time to time hereafter as may be necessary, appoint three disinterested persons as commissioners, neither of whom shall reside in either of said cities or said town, who, after notice and a hearing, shall apportion among the cities and towns which receive special benefits from the bridges hereinafter named a just and equitable share of the cost of construction, reconstruction, alteration, repairs and maintenance of said bridges, and shall also assess upon any street railway having a location upon any of said bridges a just and equitable share of the cost of construction and repairs; *provided*, that no costs shall be so assessed for any work done or contracted for previous to the passage of this act. Said bridges are, (1) Chelsea bridge, so-called, between Charlestown and Chelsea; (2) Meridian street bridge between East Boston and Chelsea; (3) Chelsea street bridge between East Boston and Chelsea.

SECTION 2. Section two of said chapter five hundred and eighty-one is hereby amended by striking out, in the second line, the words "shall be constructed" and inserting in place thereof the words:—including such as may be constructed, reconstructed, altered or repaired pursuant to any order of the Secretary of War under powers conferred by federal law, shall be constructed, reconstructed, altered,—by striking out the words "said commission" in the seventh line and inserting in place thereof the words:—any commission appointed pursuant to this act,—and by inserting at the end of said section the following new sentence:—The city of Boston is hereby authorized and empowered to apply for and receive all payments or contributions toward such construction, reconstruction, alteration or repair which may be provided for by any applicable federal law, and shall apply the amounts so received ratably to the credit of the aforesaid cities, towns and street railway companies in the same proportions as the amounts apportioned by said commission to be collected from them,—so as to read as follows:—*Section 2.* Said bridges, or any of them, or any authorized substitute for any of them, including such as may be constructed, reconstructed, altered or repaired pursuant to any order of the Secretary of War under powers conferred by federal law, shall be constructed, reconstructed, altered or repaired by the city of Boston when appropriations therefor have duly been made by its city council, and the city of Boston is hereby authorized and empowered to collect from the cities, towns and street railway companies aforesaid the amounts apportioned to them by any commission appointed pursuant to this act, on application to the supreme judicial court or any justice thereof, or to the superior court or any justice thereof, and said courts shall have jurisdiction in equity or otherwise to enforce said payments. The city of Boston is hereby authorized and empowered to apply for and receive all payments or contributions toward such construction, reconstruction, alteration or repair which may be

provided for by any applicable federal law, and shall apply the amounts so received ratably to the credit of the aforesaid cities, towns and street railway companies in the same proportions as the amounts apportioned by said commission to be collected from them.

Approved April 10, 1941.

1941.—CHAPTER 225.

AN ACT FURTHER PROVIDING FOR THE FUNDING OF OVERLAY DEFICITS
BY THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, for the purposes specified in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, three million dollars; provided, that indebtedness incurred under authority of this section shall be subject to the approval of the board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three; and provided, further, that no bonds or notes authorized by this section shall be issued later than the thirty-first day of December, nineteen hundred and forty-two. Such bonds or notes shall bear on their face the words, City of Boston Funding Loan, Acts of 1941. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this section shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Said city may issue temporary notes of the city payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of such serial bonds or notes shall be paid from the proceeds thereof.

SECTION 2. The amounts borrowed under authority of section one shall be used for meeting so much of the deficits resulting from the satisfaction of abatements on account of tax assessments in each of the years prior to nineteen hundred and thirty-eight heretofore granted, and for the satisfaction of abatements on account of tax assessments in each of such years hereafter granted, as is in excess of the overlay or overlays of such years.

SECTION 3. The auditor of said city shall set up a separate account of the proceeds of all loans issued under authority of said section one. Charges shall be made against such account only for the purposes authorized in section two and then only with the approval of the mayor.

SECTION 4. The assessors of said city, for the purpose of avoiding fractional divisions of the amount to be assessed in the apportionment thereof and providing for abatements granted on account of taxes assessed, shall add to the amount to be assessed, in each of the years nineteen hundred and forty-one and nineteen hundred and forty-two, an overlay of four per cent thereof, and in

each year thereafter, until all loans issued under authority of said section one of this act and of section one of chapter two hundred and thirty-five of the acts of nineteen hundred and thirty-eight, are paid, an overlay of three per cent thereof; provided, that should the amounts authorized to be borrowed under said section one of this act, or of said section one of said chapter two hundred and thirty-five, be inadequate for the purposes specified in section two of this act and in section two of said chapter two hundred and thirty-five, respectively, or should the amount which said assessors are authorized, under this section, to add to the amount to be assessed be inadequate, in any year, for the purposes specified in this section, said assessors shall add to the amount to be assessed in the following year such additional amount as may be required fully to meet all of such purposes.

The provisions of this section, requiring an overlay of four per cent in each of the years nineteen hundred and forty-one and nineteen hundred and forty-two, and an overlay of three per cent in each year thereafter until all loans issued under authority of said section one of said chapter two hundred and thirty-five are paid, are in substitution for and not in addition to the provisions of section four of said chapter two hundred and thirty-five.

SECTION 5. From and after the effective date of this act and until all loans issued under authority of said section one of this act and said section one of said chapter two hundred and thirty-five are paid, the proceeds of all loans made by said city under said chapter forty-nine of the acts of nineteen hundred and thirty-three, as amended, shall be used for no purpose other than to meet notes issued by said city in anticipation of revenue.

SECTION 6. Bonds or notes issued under authority of said section one of this act shall, in favor of bona fide holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions contained in this act; and no holder thereof shall be obliged to see to the existence of the purpose of that issue, or to the regularity of any of the proceedings, or to the application of the proceeds.

SECTION 7. Loan orders passed under authority of this act shall be deemed to be emergency orders and as such may be passed in the manner provided in the charter of said city for loan orders for temporary loans in anticipation of taxes.

SECTION 8. This act shall take effect upon its passage.

Approved May 1, 1941.

1941.— CHAPTER 240.

AN ACT INCORPORATING NEW ENGLAND DEPOSIT LIBRARY, REGULATING THE OPERATION OF SAID LIBRARY AND AUTHORIZING CERTAIN PARTICIPATING INSTITUTIONS, SO CALLED, TO MAKE USE OF ITS FACILITIES.

Whereas, Rapidly rising building costs make it desirable in the public interest that the building construction contemplated by this act be undertaken as promptly as possible to the end that various non-profit libraries now in urgent need of additional book

storage space may not be delayed in obtaining the same, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Dennis A. Dooley, state librarian; Milton E. Lord, director of the Public Library of the City of Boston, hereafter called the Boston Public Library; Elinor Gregory, librarian of the Boston Athenaeum; Allyn B. Forbes, librarian of the Massachusetts Historical Society; William J. Murphy, president of Boston College; Daniel L. Marsh, president of Boston University, Keyes D. Metcalf, director of the Harvard University Library; William N. Seaver, librarian of Massachusetts Institute of Technology; and their respective successors in such offices, together with such other persons as may be elected as provided in section three to represent other libraries, or as otherwise may be associated with them or succeed them, are hereby constituted and made a corporation by the name of New England Deposit Library for the purposes of providing and maintaining, in such manner and to such extent as the governing board of said corporation shall determine, a place or places of deposit and storage of books, pamphlets, photographs, music scores, phonograph records, moving picture films and other articles or documents containing written or printed matter belonging to or in the possession of libraries operated by the United States, by the commonwealth or any other state, by any city or town, by any subdivision, board or agency of the commonwealth or of any other state or of any city or town, by any non-profit institution, or by any literary, educational, charitable, religious or scientific society, corporation, association or trust, and of providing library facilities and services of any kind or description with respect to such books and other articles.

The objects of the corporation hereby created shall be exclusively charitable, educational, scientific and literary, and said corporation shall have perpetual existence, until and unless dissolved in accordance with law.

No funds of said corporation shall be distributed among its own members, but all such funds shall be devoted solely to the carrying out of the purposes for which said corporation is created. Said corporation shall have no capital stock.

SECTION 2. Said corporation shall have authority to hold for the purposes aforesaid real and personal estate in any amount, which estate or its income shall be devoted to the purposes set forth in this act or to such other charitable, educational, scientific or literary purposes as the corporation may be permitted to engage in by lawful amendment of its charter. All property of said corporation, however received or acquired, and all bequests, devises or gifts to said corporation, shall be deemed to be for or held for valid charitable purposes.

SECTION 3. The incorporators named in section one and their successors in the offices which in said section they are respectively described as occupying shall constitute the members of said corporation, and said members may from time to time in their discretion elect, by a two thirds vote of all the members for the time being,

as additional members not more than one person to represent each library which may be admitted by the governing board of said corporation to the use of the facilities and services of said corporation. The members of said corporation as such shall have only such powers as are expressly granted to them by this act.

The term "participating institution" when used in this act shall be deemed to refer to any body politic, city or town, public board or agency, non-profit institution, library, or literary, educational, charitable, religious or scientific society, corporation, association or trust (a) which is expressly mentioned in section one of this act or which maintains a library which has been admitted by the governing board of said corporation to the use of the facilities and services of said corporation, and (b) which continues to utilize such facilities and services. No library, institution, society, corporation, association or trust formed to engage in business for profit shall become a participating institution. Unless otherwise provided by a contract with said corporation, any participating institution may cease to be such and may cease to utilize the facilities and services of said corporation by delivering to said corporation, addressed to its treasurer, six months' written notice of its intention to cease to be a participating institution upon a date stated in said notice; provided, that the state library, the Boston Public Library, the commonwealth or any city, town or subdivision thereof, or any department, board or agency of the commonwealth or of any city, town or subdivision thereof may cease to be a participating institution at any time by delivering to said corporation not less than one hundred and twenty days' written notice of intention to cease to be a participating institution upon a date stated in the notice.

Whenever any participating institution shall cease to utilize the facilities and services of said corporation, any member or members of the corporation representing such institution shall cease to be such members. The determination of two thirds of the members of the governing board shall be final as to the right of any person to remain a member of said corporation. The governing board may provide by regulation for the disposition of books and other material deposited with it by participating institutions ceasing to utilize the facilities and services of the corporation, which fail to remove such books and material after reasonable notice.

The whole control and government of said corporation, subject only to the powers expressly granted by this act to its members, shall be vested in a governing board consisting of seven directors. Until and including February first, nineteen hundred and forty-six, or until their respective successors as directors are duly elected and qualified, the directors shall be the individuals respectively occupying each of the following positions, viz., state librarian, librarian of the Boston Athenaeum, director of the Boston Public Library, librarian of Boston College, librarian of the library of the College of Liberal Arts of Boston University, director of the Harvard University Library and the librarian of Massachusetts Institute of Technology and their respective successors from time to time in said offices, and such individuals shall continue to be directors or to be entitled to serve as such only while occupying such positions. After February first, nineteen hundred and forty-six, and so long

as the state library and the Boston Public Library, respectively, shall continue to be participating institutions, the individuals occupying the offices of state librarian and director of the Boston Public Library, respectively, and their respective successors from time to time in the said offices, while occupying said offices, shall each be directors of said corporation, and the remaining five directors shall be selected in the manner hereinafter provided in this section. If the state library or the Boston Public Library, respectively, shall at any time cease to be participating institutions, the state librarian or the director of the Boston Public Library, respectively, as the case may be, shall cease to be a director, and thereafter, for each of said two institutions ceasing to be a participating institution, an additional director shall be elected at each election in the manner hereinafter provided in this section. From and after February first, nineteen hundred and forty-six, the five directors remaining to be elected, and any additional director or directors to be elected by reason of the fact that the state library and the Boston Public Library, or either of them, shall have ceased to be participating institutions, shall be chosen at five year intervals, as hereinafter provided, by the members of said corporation other than the members representing the state library and the Boston Public Library, which institutions so long as they severally are participating institutions shall be represented by the state librarian and the director of the Boston Public Library, respectively, as aforesaid. In any such election the members entitled to vote shall have voting power in proportion to the use of the facilities and services of said corporation for which each participating institution which they severally represent shall have been paying, as determined by the governing board as of November first of the year next prior to the year in which such election shall be held; provided, that no member representing any participating institution shall be entitled to exercise more than forty per cent of the total voting power at any such election. The first such election shall be held at a meeting of the members of the said corporation to be held at such time as the governing board shall select, not later than February first, nineteen hundred and forty-six, or at a meeting called thereafter in lieu of such meeting if by inadvertence or otherwise such meeting shall not be called seasonably. Every subsequent election shall take place at a meeting to be called by the governing board in January of every fifth year following the year nineteen hundred and forty-six, or at meeting in lieu of such meeting if by inadvertence or otherwise such meeting shall not be called seasonably. Such directors so elected shall serve for terms expiring five years from February first in the year of their election and until their respective successors are elected and qualified. Whenever a vacancy shall occur in the elected membership of said governing board, the remaining directors may fill such vacancy for the balance of the unexpired term. Any vacancy which may exist in the governing board from time to time by reason of the fact that there is for the time being no occupant of an office, the holder of which is ex-officio a member of the governing board, may be filled for so long as such condition exists by the remaining directors, and any other vacancy occurring prior to February first, nineteen hundred and forty-six, may be filled by the remaining

directors until such date. No person shall be eligible to election as a director or shall continue to be a director who is not a member of said corporation or a trustee, officer or librarian or a member of the faculty or the teaching staff of a participating institution. Any member of the corporation may vote on any matter at any meeting of the members of the corporation either in person or by written proxy given as of a date not more than six months prior to such meeting.

SECTION 4. Said governing board shall elect a president, a treasurer, a clerk and such other officers as they may deem necessary, and may prescribe their duties, and may, but need not, require the treasurer to give bond with satisfactory sureties in such sum as in their discretion they may deem wise and expedient. The directors of said corporation shall not be entitled to any compensation for their services as such directors, but may by vote of the governing board be granted and paid their reasonable traveling and other expenses incurred in the service or work of said corporation, but no bill for such expenses shall be submitted or paid unless it has first been approved by the treasurer of said corporation.

SECTION 5. The governing board may from time to time make, adopt, alter, amend and repeal by-laws and rules and regulations consistent with law for the conduct of the affairs and services of said corporation. Said governing board, with the approval of a majority of the members present at a meeting of the members called for the purpose, may effect any amendment of the charter or purposes of said corporation which a corporation formed for similar purposes under chapter one hundred and eighty of the General Laws could lawfully effect. Said corporation shall have all the powers and privileges, and be subject to all the restrictions, duties and liabilities, set forth in all general laws now or hereafter in force relating to such corporations, except as otherwise provided herein. Said corporation shall not be subject to sections one to six, inclusive, and sections twelve, twenty-six and twenty-six A of chapter one hundred and eighty of the General Laws. In addition to all other powers granted by this act and by the provisions of the General Laws, said corporation shall have the following powers:

(a) To furnish, lease or rent storage space and library facilities to participating institutions;

(b) To purchase, convey or lease real and personal property within or beyond the limits of the commonwealth as may be necessary or expedient for the purposes of its organization;

(c) To carry on such activities consistent with its corporate purposes as may be convenient or desirable, either within or beyond the limits of the commonwealth, including, without limitation of the foregoing, the maintenance of a service of delivery of books and other articles deposited with it to depositors and others by messenger, mail or otherwise;

(d) To make contracts, incur liabilities and borrow money from any person or persons, including without limitation any participating institution other than the commonwealth or a subdivision or agency thereof or any city or town, on the credit of said corporation and for its use, and to mortgage or pledge any of its real or personal property to secure loans, but no mortgage of

any real estate of the corporation shall be made except upon the affirmative vote of two thirds of the members of the governing board at a meeting of said board called for the purpose;

(e) To have perpetual succession in its corporate name;

(f) To receive, accept, purchase, or otherwise acquire, hold, administer and dispose of property of any kind and description which at any time and from time to time may or shall be given, devised, bequeathed, conveyed, sold, transferred or assigned to said corporation in connection with or for or in furtherance of the purposes and objects to be served and accomplished by the creation of the corporation, or any of them;

(g) To publish, purchase, sell, circulate and distribute, in such manner as the governing board shall from time to time deem expedient, any and all educational, literary, scientific or scholarly publications, books, catalogs and periodicals dealing with the books and other material deposited in said library or available in participating and other libraries.

SECTION 6. If and to the extent that such authorization may be necessary or expedient, the President and Fellows of Harvard College are hereby given full authority from time to time in their discretion to convey or to lease to said corporation, either without consideration or upon such terms and conditions as may be agreed upon by said corporation and said President and Fellows, the whole or any part of any land in the Brighton district of Boston lying in general northeasterly of the junction of Cambridge and Windom streets and within fifteen hundred feet of said junction which said President and Fellows may now own or may hereafter acquire, or any other land in the commonwealth owned by them, and in the discretion of said President and Fellows, not required for the corporate purposes of said President and Fellows, but nothing in this section shall be construed as requiring any such conveyance or lease.

The said land while owned or leased by said corporation and all property, real or personal, and income of said corporation and all books, pamphlets, documents, or other articles deposited with said corporation and owned by said corporation or by any participating institution shall be exempt from taxation by the commonwealth or any agency or subdivision thereof or by any city or town. Said corporation shall not be subject to any tax upon or with respect to its income or corporate franchise.

SECTION 7. Full power and authority are hereby given to the trustees of the state library, the trustees of the Boston Public Library, and to any city or town or any other subdivision, board, department or agency of the commonwealth or of any of its cities, towns or subdivisions, or to any board having custody of any publicly owned library and to any charitable, educational, scientific, religious, or literary corporation, institution, association or trust, and to any participating institution, and to the directors, trustees, librarians and other officers of any of the foregoing

(1) To deposit with said corporation any books, pamphlets, documents, or other articles which the governing board of said corporation is willing to receive;

(2) To participate as provided in this act, but subject to and in accordance with the duly adopted by-laws or rules and regulations of said corporation, in the management of said corporation and to hold office in said corporation;

(3) To make contracts with said corporation for the storage of books, pamphlets and other articles and for library facilities and service connected therewith for such term or period as they or any of them and said corporation may deem proper and to pay therefor a reasonable charge, which in the case of the commonwealth or any subdivision thereof, of any city or town or of any board, department or agency of the commonwealth or any subdivision thereof, shall not exceed a reasonable charge based upon an equitable allocation, as determined by the governing board in accordance with any applicable by-laws or rules or regulations which it may adopt, (a) of the operating and maintenance expenses of said corporation, including reasonable repair, depreciation and contingency reserves, and (b) of the expenses of debt service, insurance of the structures and equipment owned by said corporation and amortization of loans incurred for buildings, library equipment and other facilities provided by said corporation;

(4) Except in the case of the commonwealth or any subdivision thereof, or of any city or town, or of any board, department or agency of the commonwealth or any subdivision thereof, or any city or town, to make grants or gifts to said corporation in aid of the construction or provision of storage or library facilities, buildings and equipment, the amount and nature of which contributions may be taken into account in such manner as the governing board may determine in fixing the amount of any charges for storage and library facilities and service to the participating institution making such grant or gift; provided, that the foregoing provision shall not be deemed to authorize any expenditures of funds held upon specific trust which by the terms of such trust may not properly be expended for such purpose.

Nothing in this act shall be construed to require said corporation to permit any library, city, town, body politic, or public agency, or any corporation, institution, association or trust to utilize the facilities of said corporation, unless the governing board shall approve such use and then only subject to the by-laws and rules and regulations of said corporation and to such terms and conditions as the governing board may determine. The trustees of the state library and the state librarian shall have full authority to deposit books and other articles with said corporation notwithstanding the provisions of sections thirty-three to thirty-nine, inclusive, of chapter six of the General Laws. Any contract made with said corporation by or in behalf of the state library or with respect to books or other property in the custody of the state librarian or of any other agency, department or board of the commonwealth shall be subject to approval by the board of trustees of the state library. Any contract made with said corporation with respect to books or other property of the Boston Public Library shall be subject to approval by the board of trustees of said library. Any contract made with said corporation by any city or town or other subdivision of the commonwealth or by any board or agency of any such city, town or subdivision, shall

be subject to approval by the board or officers having power to make contracts with respect to the same. Any contract made by or in behalf of the commonwealth or any city, town or subdivision thereof or of any department, board or agency of the commonwealth or of any city, town or subdivision thereof shall contain a provision that the payment of storage charges, or rents, or of any fee for library facilities and services, shall be made only from valid appropriations made or thereafter to be made from which the payment of such charges, rents and fees can properly be made. Any books, pamphlets, documents, records or other articles deposited with said corporation or in a building owned or used by said corporation shall remain the property of and shall be held on deposit wholly at the risk of the participating institution making such deposit or other owner, unless the depositor or owner shall transfer title to such books, pamphlets, documents or other articles to said corporation. Nothing in this act shall be construed to prevent the state library, the Boston Public Library, the commonwealth or any city, town or subdivision thereof or any department, board or agency of the commonwealth or of any city, town or subdivision thereof from ceasing to be a participating institution at any time in the manner provided in section three.

SECTION 8. The provisions of the various sections of this act are hereby declared to be separable and if any such provision, or the application of such provision to any person or circumstance, shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions of said sections or the application of such provisions to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the legislative intent that said sections would have been enacted had such invalid or unconstitutional provision not been included therein. Without limitation of the foregoing, it shall not affect the validity of any of the other provisions of this act, or the validity of any provision of this act with respect to any other person, if it shall be held that any participating institution or any officer of any participating institution or any public body or officer, notwithstanding the provisions of this act, is without authority to do any act or thing or to make any expenditure or grant or to carry out any duty or power or exercise any authority, which this act or any provision of this act purports to authorize or require.

Approved May 5, 1941.

1941.— CHAPTER 256.

AN ACT TO PROVIDE FOR THE DISPOSITION OF CERTAIN SURPLUS REPORTS IN THE DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The state secretary is hereby authorized to provide for the free distribution of the following documents or reports, notwithstanding the provisions of the resolves pertaining thereto:— Laws relative to the construction, alteration and maintenance of buildings and other structures in the city of Boston, published under the provisions of chapter thirty-nine of the resolves of nineteen hundred and thirty-

eight, report of the special commission on taxation and public expenditures, published under the provisions of chapter seventy-three of the resolves of nineteen hundred and thirty-eight; and the report of the special commission to investigate the activities within this commonwealth of communistic, facist, nazi and other subversive organizations, so called, published under the provisions of chapter eighty-seven of the resolves of nineteen hundred and thirty-eight.

Approved May 8, 1941.

1941. — CHAPTER 369.

AN ACT PROVIDING FOR THE ACQUISITION BY THE CITY OF BOSTON OF THE PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter referred to as the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and forty-three, purchase or take by eminent domain the property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

SECTION 2. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter seventy-nine of the General Laws. The city, acting by its transit department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under authority of section six, but if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

SECTION 3. Before acquiring any property under authority of this act, said public works department, in the name and on behalf of the city, shall execute a contract in writing with the Boston Consolidated Gas Company, hereinafter called the company, upon such terms and conditions, not inconsistent with the provisions of this act, as said public works department and the board of directors of the company may agree upon, for the use by the company of the property proposed to be acquired, for such term as may be agreed upon by said public works department and the company. The company shall pay for the use of the premises a rental at the rate of four and one half per cent per annum upon the fair and reasonable value of the property as agreed upon by said public works department and the company, or, in case of difference, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the premises, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said property, the rental

or a just and reasonable part thereof as agreed upon by said public works department and the company, or, in case of difference, as determined by said department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the property, or any part thereof. In case the city shall, during the term of such contract for use, reimburse the company for capital expenditures upon the property as provided in section four, the amount of such reimbursement shall be added to the fair and reasonable value of the property for the purpose of determining the rental thereafter payable by the company for the use of the property.

SECTION 4. Said contract for use shall require the return of the property to the city at the termination of said use in as good order and condition as at the beginning, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the property as the company shall deem to be necessary or advisable to put the property in good operating condition; provided, that no such alterations, replacements, additions or improvements shall be made, except in case of emergency, without the written consent of said public works department or a certificate from said department of public utilities that the proposed work is reasonably necessary or advisable to put the property in good operating condition. In case of any such alteration, replacement, addition or improvement, said department of public utilities shall on application of the company determine what proportion thereof, if any, constitutes a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the property.

SECTION 5. There shall be made, as of the date when the use of the property by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the property by a board of three persons, one appointed by said public works department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 6. The treasurer of the city shall from time to time, on request of the transit department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding, in the aggregate, the cost of carrying out the provisions of this act. Such bonds

shall bear on their face the words, Hyde Park Gas loan, shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest, payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by said public works department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under authority of this act. The proceeds from and sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said property or shall be used for the payment of expenditures incurred for the acquisition of said property, as said public works department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in said sinking fund; second, to meet the interest of said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, as and for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 7. In respect to the use and operation of the property, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it.

SECTION 8. The contract for the use of the property executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city or any other licensee of the commonwealth may at any time have to take the properties of the company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 9. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the state secretary, but not otherwise.

SECTION 10. Chapter two hundred and ninety-two of the acts of nineteen hundred and thirty-seven, as amended, is hereby repealed.

Approved June 10, 1941.

Section 1, Amended 1943, ch. 163.

Not yet accepted (September 15, 1943).

See 1938, ch. 15; 1939, ch. 208.

1941.— CHAPTER 373.

AN ACT AMENDING THE "ZONING LAW", SO-CALLED, OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four is hereby amended by striking out section one, as most recently amended by section one of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty, and inserting in place thereof the following:—

Section 1. For the purpose of this act, certain words and terms used herein are hereinafter defined; words not defined herein shall be construed as defined or used in chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight, acts in amendment thereof and in addition thereto, and ordinances of the city of Boston in amendment thereof, being the building code of the city of Boston, hereinafter referred to as the aforesaid building code or, if not defined or used therein, as in the regulations of the department of public safety.

Dwelling: Any house or building, or portion thereof, except a hotel, which is occupied in whole or in part as the home or residence of one or more persons, either permanently or transiently.

Lot: Land occupied or to be occupied by a building and its accessory buildings, and including the open spaces required under this act. Two or more buildings other than accessory buildings upon a single parcel of land shall be deemed to occupy separate lots. In a multiple residence district the word "lot" shall mean an entire tract held under single ownership, developed or to be developed, for multiple-family use.

Lot, Depth of: The distance between the front and rear legal boundary lines, including any areas required to be left open by law, ordinance or regulation.

Semi-detached building: A building that is joined on one side to another building separated by a party wall which, for a dwelling in a thirty-five foot district, has no means of access between the two buildings.

Pair of semi-detached buildings: Two buildings separated by a party wall, which, for dwellings in a thirty-five foot district, have no means of access between the two buildings.

Set-back: The minimum horizontal distance between the street line and the front line of the building, excluding steps, uncovered porches and covered but unenclosed entrance porches on the first story which do not exceed a total area of fifty square feet.

Story, Half: A story which is situated in a sloping roof, the area of which at a height four feet above the floor does not exceed two thirds of the floor area of the story immediately below it and which does not contain an independent apartment. A half story shall not be counted as a story for the purpose of determining yard dimensions.

Yard, Rear: A space on the same lot with a building, between the extreme rear line of said building and the rear line of the lot and open and unoccupied except by an unenclosed porch not exceeding sixty square feet in area.

Yard, Side: An open, unoccupied space on the same lot with a building extending for the full length of the building between the building and the side line of the lot.

SECTION 2. Said chapter four hundred and eighty-eight is hereby further amended by striking out section two and inserting in place thereof the following:—*Section 2.* In order to regulate and restrict the location of trades, industries and other uses, and the location of buildings designed, erected, altered or occupied for specified uses, the city of Boston is hereby or may hereafter be divided into the following classes of use districts:

Single Residence districts,
Multiple Residence districts,
General Residence districts,
Local Business districts,
General Business districts,
Industrial districts,
Unrestricted districts,

as appearing on the zoning map prepared by the Boston city planning board, dated March fifteenth, nineteen hundred and twenty-four and filed, April twenty-eighth of said year, in the office of the state secretary, as amended by the substitution of a new sheet ten of said plan, filed with said office May eleventh, nineteen hundred and twenty-four, in place of sheet ten previously filed, and as amended from time to time by the board of zoning adjustment as hereinafter provided.

Except as hereinafter provided no building shall be erected or altered nor shall any building or premises be used for any purpose other than a use permitted in the use district in which such building or premises is located.

SECTION 3. Paragraph (3) of section three of said chapter four hundred and eighty-eight is hereby amended by inserting after the word "hospital" in the second line the words:—, home for aged, convalescent home,—so that said paragraph will read as follows:—

(3) Educational, religious, philanthropic or other institutional uses, provided that in the case of a hospital, home for aged, convalescent home, sanitarium, correctional institution or similar use the health commissioner of Boston and building commissioner of Boston approve the location as not detrimental or injurious to the residential character of the neighborhood after public notice and hearing:

SECTION 4. Paragraph (8) of said section three of said chapter four hundred and eighty-eight is hereby amended by inserting after clause (c) the following new clause:—

(d) Gravel, loam, sand or stone removal except in connection with the erection of a building or for reuse on the same premises.

SECTION 5. Said chapter four hundred and eighty-eight is hereby further amended by inserting after section three the following new section:—*Section 3A. Multiple Residence District:* In a multiple residence district no building or premises shall be erected, altered or used except for one or more of the following uses:

(1) Any use permitted in a single residence district,

(2) Multiple family dwellings,

(3) Accessory uses customarily incident to any of the above uses. The term "accessory use" shall be construed as in section three.

No multiple residence district shall have, at the time when it is established, an area of less than ten acres in private ownership.

SECTION 6. Section seven of said chapter four hundred and eighty-eight is hereby amended by inserting after paragraph (39) the following new paragraph:—

(39A) Dwelling, provided that a dwelling for not more than two families may be erected, altered and used in any part of an industrial district which is within one hundred and fifty feet of a residence district.

SECTION 7. Said chapter four hundred and eighty-eight is hereby further amended by striking out section eight and inserting in place thereof the following:— *Section 8.* In a district classified under section two as an unrestricted district, no building or premises shall be erected, altered or used for a dwelling.

SECTION 8. Section nine of said chapter four hundred and eighty-eight, as amended by section three of chapter one hundred and forty-three of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the following paragraphs:— No use of a building or premises, or part thereof, which does not conform to the provisions of sections one to nine, inclusive, of this act, shall be continued after April one, nineteen hundred and sixty-one. No non-conforming building, structure or premises shall be devoted to a non-conforming use after failure to use or occupy such building, structure or premises for such use for a period of one year, provided that the building commissioner may, after public hearing, grant a permit for resumption of a non-conforming use which has been discontinued for more than one year where such use will not be detrimental or injurious to the character of the neighborhood. In the case of a building or part thereof designed and intended for a non-conforming use, such use in a part thereof may be extended throughout the building or part thereof so designed and intended or changed to any use permitted in a district where such non-conforming use would be permitted and not more detrimental or injurious to the neighborhood, provided no alterations are hereafter made therein, except those required by law, ordinance or regulation.

Subject to the provisions of the first paragraph of this section, the building commissioner may grant a permit for the erection of additional buildings or for the enlargement or alteration of existing buildings on the same or an adjacent parcel of land, each in the same single or joint ownership of record at the time it is placed in a use district, for the expansion of a trade, business, industry or other use prohibited in such district where such enlargement or alteration will not be detrimental or injurious to the character of the neighborhood.

SECTION 9. The first paragraph of section ten of said chapter four hundred and eighty-eight is hereby amended by adding at the end of the words:—, and as amended from time to time by the board of zoning adjustment as hereinafter provided, — so that said

paragraph will read as follows:— In order to regulate and limit the height and bulk of buildings, the area of yards and other open spaces and the percentage of lot occupancy, the city of Boston is hereby divided into the following classes of bulk districts:

Thirty-five foot districts,

Forty foot districts,

Sixty-five foot districts,

Eighty foot districts,

One hundred and fifty-five foot districts,

as appearing on the zoning map prepared by the Boston city planning board, dated March fifteenth, nineteen hundred and twenty-four and filed, April twenty-eighth of said year, in the office of the state secretary, as amended by the substitution of a new sheet ten of said plan, filed with said office May eleventh, nineteen hundred and twenty-four, in place of sheet ten previously filed, and as amended from time to time by the board of zoning adjustment as hereinafter provided.

SECTION 10. Said chapter four hundred and eighty-eight is hereby further amended by striking out section eleven, as most recently amended by sections one and two of chapter one hundred and eighty of the acts of nineteen hundred and thirty-one, and inserting in place thereof the following:— *Section 11.* In a thirty-five foot district:—

Height and Occupancy: No building or structure shall exceed thirty-five feet or two and one half stories in height and except in a multiple residence district no building or structure used for habitation, whether consisting of a single building or a pair or group of semi-detached buildings or an attached group of buildings shall accommodate or make provision for more than two families.

Rear Yards: There shall be behind every building other than an accessory building a rear yard extending across the entire width of the lot and having a minimum depth of twenty-five feet, provided that on lots not within a single or general residence district the depth may be reduced five feet.

Side Yards: There shall be a side yard on each side of every building in a single residence district, and on each side of every building or pair of semi-detached buildings in a general residence district. The minimum width of any side yard provided in a thirty-five foot district shall be eight feet and the minimum width of any side yard provided in a single residence district shall be ten feet, provided that on no lot held under a separate and distinct ownership from adjacent lots and of record at the time it is placed in a thirty-five foot district shall the buildable width be reduced by this requirement to less than twenty-four feet.

Courts: In a single or general residence district no window required by the aforesaid building code shall open upon an outer court the depth of which exceeds its width or upon any inner court.

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within thirty feet of the center of any street or within ten feet of any street line, provided, that on a lot abutting on two or more streets, one of which is more than twenty-four feet wide and one twenty-four feet wide or less, no set-back is hereby required on the street or streets twenty-four

feet wide or less; provided, further, that on a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs on such buildings; and provided, further, that on a lot in a separate and distinct single or joint ownership of record at the time it is placed in a thirty-five foot district and less than one hundred feet deep, any set-back hereby established may be reduced one per cent for each foot that the depth of the lot is less than one hundred feet.

Between the lines of streets intersecting at an angle of less than one hundred and thirty-five degrees and a line joining points on such lines twenty feet distant from their point of intersection no building or structure may be erected and no vegetation may be maintained above a height three and one half feet above the plane through their curb grades.

Building Area: The area of a dwelling shall not exceed thirty-five per cent of the area of the lot. The area of a building other than a dwelling shall not exceed sixty per cent of the area of the lot.

In a multiple residence district the area of all buildings and accessory buildings shall not exceed twenty-five per cent of the area of the lot including all portions thereof used for streets, alleys, parks or other permanently open spaces.

Open Spaces in Multiple Residence Districts: In a multiple residence district no building or accessory building shall hereafter be erected or altered to be within twenty feet of any other building nor within twenty feet of any lot or street line.

Lot Size: No building, except one story buildings of accessory use, shall be erected in a single residence district on a lot containing less than six thousand square feet or less than sixty feet wide, the lot width to be measured through that part of the building to be erected where the lot is narrowest; provided that one such building may be erected on any lot which is in a single or joint ownership on the first day of March, nineteen hundred and forty-one.

SECTION 11. Section twelve of said chapter four hundred and eighty-eight, as most recently amended by section three of chapter one hundred and eighty of the acts of nineteen hundred and thirty-one, is hereby further amended by striking out the fifth paragraph entitled "*Courts*", and inserting in place thereof the following paragraph:—

Courts: In a single or general residence district no window required by the aforesaid building code shall open upon any inner court, the length or width of which is less than its average height.

SECTION 12. Said chapter four hundred and eighty-eight is hereby further amended by striking out section thirteen, as most recently amended by section four of chapter two hundred and four of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following:—*Section 13.* In a sixty-five foot district:—

Height: No building shall exceed sixty-five feet or six habitable stories in height.

Rear Yards: Except as hereinafter provided there shall be in the rear of every building other than an accessory building a rear yard extending across the entire width of the lot. The depth of

said rear yard shall be measured from the extreme rear wall of the building to the rear line of the lot and at right angles to said lot line. If the rear line of the lot is not a straight line at right angles to the side lines of the lot the required yard shall have an area not less than the depth of the yard as hereinafter prescribed multiplied by the width of the lot at the rear of the building, and the building shall be so disposed at the rear as to have a yard having continuity with the yards of adjoining lots as approved by the building commissioner. The minimum depth of said rear yard shall be equal to ten feet less than the average depth of the yards of existing buildings other than accessory buildings abutting on the same street in the same block but shall not be less than fifteen feet.

Rear Yards on Corner Lots: Upon a lot which abuts on two intersecting streets, alleys, parks or other permanently open spaces not less than fifteen feet wide the minimum depth of yard shall not be less than six feet except that where such corner lot is more than twenty-five feet in width the minimum depth of the rear yard for that portion in excess of such twenty-five feet shall be not less than fifteen feet.

Set-back: On lots abutting on one side of a street between two intersecting streets in a sixty-five foot general residence district, and in any adjacent forty foot or thirty-five foot single or general residence district, no building shall hereafter be erected or altered to be nearer the street line than the average set-back of existing buildings within such limits, subject to the following provisions:

1. No set-back need exceed ten feet in any case. Any reduced set-back thus established shall be used in computing the average set-back.

2. On a lot between two buildings not more than sixty feet apart the set-back need not exceed the greater of the set-backs of such buildings. Any set-back thus established shall be included in computing the average set-back.

Building Area: The area of a dwelling shall not exceed seventy per cent of the area of the lot. The area of a building other than a dwelling shall not exceed eighty per cent of the area of the lot.

SECTION 13. Section fourteen of said chapter four hundred and eighty-eight, as amended by section eight of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out the second paragraph, entitled "*Height*", and inserting in place thereof the following two paragraphs:—

Height: No building shall exceed eighty feet in height as construed in section two thousand and one of the aforesaid building code.

Yards: In a single or general residence district and for dwellings in any use district all yards shall conform to the requirements prescribed for buildings in a sixty-five foot district.

SECTION 14. Said chapter four hundred and eighty-eight is hereby further amended by striking out section fifteen, as amended by section two of chapter one hundred and thirty-seven of the acts of nineteen hundred and twenty-eight, and inserting in place thereof the following:—*Section 15.* In a one hundred and fifty-five foot district:—

Height: No building or structure shall be so erected or altered that any part thereof shall be higher above the ground than two and one half times the shortest horizontal distance of that part from the further side of the street upon which it fronts; provided that, in case of a building at the intersection of two streets, within one hundred and fifty feet measured along the streets from the intersection of the nearer side lines thereof, the width of each street shall for the purpose of this section be taken as the width of the wider street. No building or structure shall be erected or altered to a greater height measured to the highest point of the roof thereof than one hundred and fifty-five feet except as provided in this paragraph. If a building or structure shall be erected or altered to a greater height than one hundred and fifty-five feet every part of such building shall not be higher above the ground than one hundred and twenty-five feet plus two and one half times the shortest horizontal distance of that part from the nearest lot or street line. No building shall be erected or enlarged to contain a volume above the grade of the ground greater than the buildable area of the lot multiplied by one hundred and fifty-five feet.

SECTION 15. Section sixteen of said chapter four hundred and eighty-eight, as most recently amended by section two of chapter two hundred and ten of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out paragraph (3) and inserting in place thereof the following:—

(3) Structures specified in and exempted from height limitation by section two thousand and one of the aforesaid building code may be erected above the height limit established by this act.

No building shall be erected on a parkway, boulevard or public way on which a building line or height limitation has been established by the board of park commissioners or by the board of street commissioners acting under any general or special statute or by the commonwealth or city to a greater height than that allowed by action of said agencies and no building upon land any owner of which has received and retained compensation in damages for any limitation of height or who retains any claim for such damages shall be erected to a height greater than that fixed by the limitation for which such damages were received or claimed.

SECTION 16. Said section sixteen of said chapter four hundred and eighty-eight is hereby further amended by striking out paragraph (14), added by section five of chapter one hundred and eighty of the acts of nineteen hundred and thirty-one, and inserting in place thereof the following:—

(14) Upon a lot which does not front upon a street, alley, park or other permanently open space not less than fifteen feet wide the requirements of this act as to rear yards shall apply to the front of any building as well as to the rear.

SECTION 17. Said chapter four hundred and eighty-eight is hereby further amended by adding at the end of said section sixteen the following new paragraph:—

(16) In a sixty-five foot district no yard shall be required behind a building upon a lot which abuts at the rear upon a railroad right of way, a cemetery, or a public park; no yard shall be required behind a building upon a lot entirely surrounded by streets, alleys,

parks or other permanently open spaces not less than twenty-five feet wide; no yard shall be required behind a building upon a lot running through from street to street or from a street to an alley, park or other permanently open space; provided, that such streets, alleys, parks or other permanently open spaces are not less than thirty-five feet in width; no yard shall be required behind a building upon a corner lot adjoining a lot running through from street to street or from a street to an alley, park or other permanently open space; provided, that such streets, alleys, parks or other permanently open spaces are not less than thirty-five feet in width.

SECTION 18. Said chapter four hundred and eighty-eight is hereby further amended by striking out section nineteen, as most recently amended by section one of chapter sixteen of the acts of nineteen hundred and thirty-one, and inserting in place thereof the following:—*Section 19.* The board of appeal provided for in the aforesaid building code shall act as a board of appeal under this act, and the members thereof shall receive for acting under this act the same compensation as provided in the aforesaid building code.

Any applicant for a permit under this act whose application has been refused may appeal therefrom within ninety days. Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of fifteen dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once a week.

Upon such appeal, the board of appeal may authorize in respect to a particular parcel of land a variance from the terms of this act, where, owing to conditions especially affecting such parcel but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this act would involve substantial hardship to the appellant, and where desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of this act, but not otherwise. No such variance shall be authorized except by the unanimous decision of the entire membership of the board qualified to act, rendered upon a written petition addressed to the board and after public hearing thereon, of which notice shall be mailed to the petitioner and to the owners of all property deemed by the board to be affected thereby as they appear in the current records of the assessing department and also advertised in a daily newspaper published in the city of Boston. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid.

No decision of the board of appeal permitting the erection or alteration of a building to an extreme height greater than that

otherwise authorized under the provisions of this act for the lot or building in question shall be effective until and unless confirmed by the board of zoning adjustment, as provided in section twenty. Immediately following the board's final decision in any such case a copy of the record shall be certified to the board of zoning adjustment.

Any person aggrieved by a decision of the board of appeal, except a decision permitting the erection or alteration of a building to an extreme height greater than that otherwise authorized under the provisions of this act, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the superior court sitting in equity, for the county of Suffolk; provided, that such appeal is filed in said court within fifteen days after such decision is recorded. It shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

The person applying for the review shall file a bond with sufficient surety, to be approved by the court, for such a sum as shall be fixed by the court, to indemnify and save harmless the person or persons in whose favor the decision was rendered from all damages and costs which he or they may sustain in case the decision of said board is affirmed.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

SECTION 19. Said chapter four hundred and eighty-eight is hereby further amended by striking out section twenty, as most recently amended by section one of chapter two hundred and forty of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following:—*Section 20.* There shall be a board of zoning adjustment to consist of twelve members as follows:—The chairman of the city planning board ex officio, and eleven members appointed by the mayor in the following manner: one member from two candidates to be nominated by the Associated Industries of Massachusetts, one member from two candidates to be nominated by the Boston Central Labor Union, one member from two candidates to be nominated by the Boston Chamber of Commerce, one member from two candidates to be nominated by the Boston Real Estate Exchange, one member from two candidates to be nominated by the Massachusetts Real Estate Exchange, one member from two candidates, one to be nominated by the Boston Society of Architects and one by the Boston Society of Landscape Architects, one member from two candidates to be nominated by the Boston Society of Civil Engineers, one member from two candidates to be nominated by the Master Builders' Association of Boston, one member from two candidates to be nominated by the Team Owners Association, one member from two candidates to be nominated by the United Improvement Association, and one member to be selected by the mayor. All appointive members shall be residents of or engaged in business in Boston. All appointments after the initial appointments shall be for the term of five

years. Vacancies among the appointive members shall be filled in the same manner in which original appointments are made. The several heads of departments of the city of Boston shall on request of the board supply it with all information in their possession useful for its duties.

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston. Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land. No such change shall be made except by the decision of not less than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the current records of the assessing department and also advertised in a daily newspaper published in the city of Boston. Any petition for changing the zoning map shall be accompanied by a fee of twenty-five dollars before being considered by the board. Such fees shall be deposited by the board with the city collector within one month after receipt thereof. No member shall act in any case in which he is personally interested either directly or indirectly. A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map or confirming a decision of the board of appeal shall be deemed to comply with this section only if the written record of such decision is signed, in case of any change of boundaries as aforesaid, by not less than four fifths, or, in case of any confirmation of a decision of the board of appeal, by not less than two thirds, of the members of the board qualified to act. If less than a majority of the board is present at any public hearing or at any executive session, the members actually present may adjourn the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure.

The board shall review the decision of the board of appeal within forty-five days of the certification to it of a copy of the record thereof in every case wherein permission is granted to erect or alter a building to an extreme height greater than that otherwise authorized under the provisions of this act for the lot or building in question, said review to determine whether or not the relief granted derogates

from the intent and purpose of this act. No such permission shall be confirmed except by decisions of not less than two thirds of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon of which notice shall be given as provided in case of a public hearing under the preceding paragraph. If the lot or building in question abuts upon a public park, notice shall also be mailed to the park commissioners of the city of Boston.

In all cases where the boundaries of districts are changed so as to include the whole or part of an existing single or general residence district in a zone for less restricted uses the set-back required by this act for such district before such change shall remain in force unless and until such limitation shall be rescinded by the board. Such rescission may be inserted in the original order making such change if asked for by said petition and notice thereof given in the notice of the original petition for the change, or it may be ordered subsequently on petition and notice in the manner required for petitions for a change in the boundaries of districts.

The board shall cause to be made a detailed record of all its proceedings, which record shall set forth the reasons for its decisions, the vote of each member participating therein, and the absence of a member or his failure to vote. Such record, immediately following the board's final decision, shall be filed in the office of the building commissioner of Boston and shall be open to public inspection, and notice of such decision shall be mailed forthwith to each party in interest as aforesaid. Upon any decision changing the zoning map, on file at the state secretary's office, an amended map showing such change endorsed by the chairman of said board shall be filed forthwith at said office.

If a petition for a change of the boundaries of a district is unfavorably decided upon by the board, no petition for the same shall be considered on its merits by the board within one year after the date of such unfavorable decision, except with the consent of not less than four fifths of the members of the board.

If a change be favorably decided upon or if a decision of the board of appeal shall be confirmed, any person aggrieved or any municipal officer or board may appeal to the superior court sitting in equity for the county of Suffolk; provided, that such appeal is filed in said court within fifteen days after such decision is recorded. It shall hear all pertinent evidence and determine the facts and, upon the facts as so determined, annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

The person applying for the review shall file a bond with sufficient surety, to be approved by the court, for such a sum as shall be fixed by the court, to indemnify and save harmless the person or persons in whose favor the decision was rendered from all damages and costs which they may sustain in case the decision of said board is affirmed.

No costs shall be allowed against the board unless the court finds that it acted with gross negligence or in bad faith.

The board shall report its doings annually on or before February tenth to the mayor of Boston. It shall make a like report on or before said date to the general court, by filing the same with the state secretary, and the provisions of section thirty-two of chapter thirty of the General Laws relative to the transmission of other annual reports to the general court shall apply to reports made to the general court hereunder.

If any area is hereafter transferred to another district by a change in district boundaries either by action of the board of zoning adjustment or by an amendment to this act, the buildings and uses then existing within said area shall be subject to the provisions of this act with reference to existing buildings or uses in the district to which the area is removed.

SECTION 20. Section twenty-one of said chapter four hundred and eighty-eight is hereby amended by striking out, in the third line, the word "law" and inserting in place thereof the word: — code, — so as to read as follows:— *Section 21.* The jurisdiction of courts in equity and at law and penalties for violation of any of the provisions of this act shall be as set forth in the aforesaid building code for violations thereof.

SECTION 21. In case of any difference or inconsistency between the provisions of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended, and those of section one hundred and five A of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight, inserted by section one of chapter two hundred and seventeen of the acts of nineteen hundred and thirty-nine, or of any ordinance made pursuant to said section one hundred and five A, the provisions of said chapter four hundred and eighty-eight and its amendments shall prevail.

SECTION 22. Chapter four hundred and fifty-two of the acts of eighteen hundred and ninety-eight, chapter three hundred and thirty-three of the acts of nineteen hundred and four and the orders issued thereunder, chapter three hundred and eighty-three of the acts of nineteen hundred and five, chapter four hundred and fifty-five of the acts of nineteen hundred and twenty, chapter four hundred and fifty-seven of the acts of eighteen hundred and ninety-nine, chapter four hundred and sixteen of the acts of nineteen hundred and seven, and chapter three hundred and thirty-three of the Special Acts of nineteen hundred and fifteen and the orders issued thereunder, are hereby repealed; provided, that such repeal shall not be deemed or construed to affect any vested property right which was created or acquired under any provision of any of said acts, or by reason of any order, rule or regulation made or promulgated, or act done, under authority of any provision of any of said acts, and which is in full force and effect upon the effective date of this act.

SECTION 23. This act shall take full effect upon the acceptance by the city council of the city of Boston of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight, as amended by chapter two hundred and seventeen of the acts of nineteen hundred and thirty-nine, and as provided in said chapter four hundred and seventy-nine.

Approved June 12, 1941.

This act became effective, pursuant to sec. 23 thereof, by acceptance of 1938, ch. 479 (Boston Building Code), by the City Council on May 10, 1943, and approval by the Mayor on May 15, 1943.

1941.—CHAPTER 445.

AN ACT RELATIVE TO THE EXPENSE OF THE MAKING SECURE OR THE REMOVAL OF CERTAIN BUILDINGS OR OTHER STRUCTURES BY THE BUILDING COMMISSIONER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and fifty of the acts of nineteen hundred and seven is hereby amended by striking out section five, as most recently amended by section two of chapter two hundred and fifty of the acts of nineteen hundred and thirty-one, and inserting in place thereof the following section:—*Section 5.* The person notified as provided in the preceding section shall provide sufficient means of egress in case of fire satisfactory to the building commissioner, or shall comply with the provision of this act which is being violated, or shall secure or remove said building, structure, attachment or connection forthwith. If the public safety so requires, the commissioner, with the approval of the mayor, may at once enter the building or other structure which he finds unsafe or dangerous, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway.

A claim for the expense incurred by the commissioner under this section shall constitute a debt due the city upon the completion of the work and the rendering to the owner of an account therefor, and shall be recoverable from the owner in an action of contract. Said debt, together with interest thereon at the rate of six per cent per annum from the date upon which said debt became due, shall constitute a lien upon the real estate on or relative to which the expense was incurred, as hereinafter provided. Such lien shall take effect upon the filing, within ninety days after the debt became due, for record in the registry of deeds for Suffolk county, or, in the case of registered land, with the assistant recorder for the Suffolk registry district of the land court, of a statement of the claim, signed by the commissioner, setting forth the amount claimed without interest. Such lien shall continue for two years from the first day of October next following the date of filing said statement. Such lien may be dissolved by filing for record in such registry of deeds or with said assistant recorder, as the case may be, a certificate from the collector of taxes that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. The collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale of land for the non-payment thereof, and the redemption of land so sold shall apply.

The owner of the real estate to which a lien has attached, as provided in this section, within ninety days after the statement of said lien was filed in the registry of deeds or with said assistant recorder, as the case may be, may apply in writing to the commissioner for a hearing and such hearing, after due notice, shall be given by the commissioner within a reasonable time thereafter. The commissioner, if he is satisfied after said hearing that the

amount of the claim is more than the amount actually expended to make safe or remove the building or structure, may reduce the amount of the claim to the amount so actually expended. If the owner of said premises is aggrieved by any decision of the commissioner under authority of this section he may, within thirty days after notice of said decision has been mailed to him, appeal to the municipal court of the city of Boston, which shall hear and finally establish the amount of the claim.

Before beginning the removal of any building or other structure, the building commissioner shall give notice, by mail, to the owner of his right to the material, upon request, if he is known and can be found; otherwise by posting an attested copy of such notice in a conspicuous place upon the external walls of such building. If the owner claims the material, he shall at once so notify the commissioner in writing and shall remove the same within ten days after the building or structure is taken down, and if he fails to do so the building commissioner may dispose of the material.

SECTION 2. This act shall take effect upon its passage.

Approved July 10, 1941.

1941.—CHAPTER 446.

AN ACT RELATIVE TO THE EXPENSE OF THE REMOVAL OF CERTAIN BUILDINGS OR PARTS THEREOF BY THE HEALTH COMMISSIONER OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and nineteen of the acts of eighteen hundred and ninety-seven is hereby amended by striking out section one, as amended, and inserting in place thereof the following section: — *Section 1.* Whenever the health commissioner of the city of Boston shall be of opinion that any building or any part thereof in said city is infected with contagious disease, or by reason of want of repair has become dangerous to life, or is unfit for use because of defects in drainage, plumbing, ventilation, or in the construction of the same, or because of the existence of a nuisance on the premises which is likely to cause sickness among its occupants, said commissioner may issue an order requiring all persons therein to vacate or cease to use such building or part thereof stated in the order, for reasons to be stated therein as aforesaid. Said commissioner shall cause said order to be affixed conspicuously to the building or part thereof, and to be personally served on the owner, lessee, agent, occupant or any person having the charge or care thereof; if the owner, lessee or agent cannot be found in the said city, or does not reside therein, or evades or resists service, then said order may be served by depositing a copy thereof in the post office of said city, postpaid and properly inclosed and addressed to such owner, lessee or agent at his last known place of business or residence. Such building or part thereof shall be vacated within ten days after said order shall have been posted and mailed as aforesaid, or within such shorter time, not less than forty-eight hours, as in said order may be specified, and said building shall be no longer used; but whenever said commissioner shall become satisfied that the danger from said building or part thereof has ceased to exist,

or that said building has been repaired so as to be habitable, he may revoke said order. Whenever in the opinion of said commissioner any building or part thereof in said city is because of age, infection with contagious disease, defects in drainage, plumbing or ventilation, or because of the existence of a nuisance on the premises which is likely to cause sickness among its occupants, or among the occupants of other property in said city, or because it makes other buildings in said vicinity unfit for human habitation or dangerous or injurious to health, or because it prevents proper measures from being carried into effect for remedying any nuisance injurious to health, or other sanitary evils in respect of such other buildings, so unfit for human habitation that the evils in or caused by said building cannot be remedied by repairs or in any other way except by the destruction of said building or of any portion of the same, said commissioner may order the same or any part thereof to be removed; and if said building is not removed in accordance with said order said commissioner shall remove the same.

SECTION 2. Said chapter two hundred and nineteen is hereby further amended by striking out section two and inserting in place thereof the following section:— *Section 2.* A claim for the expense incurred by the health commissioner of the city of Boston under section one shall constitute a debt due the city upon the completion of the work and the rendering to the owner of an account therefor, and shall be recoverable from the owner in an action of contract. Said debt, together with interest thereon at the rate of six per cent per annum from the date upon which said debt became due, shall constitute a lien upon the real estate on or relative to which the expense was incurred, as hereinafter provided. Such lien shall take effect upon the filing, within ninety days after the debt became due, for record in the registry of deeds for Suffolk county, or, in the case of registered land, with the assistant recorder for the Suffolk registry district of the land court, of a statement of the claim, signed by said commissioner, setting forth the amount claimed without interest. Such lien shall continue for two years from the first day of October next following the date of filing said statement. Such lien may be dissolved by filing for record in such registry of deeds or with said assistant recorder, as the case may be, a certificate from the collector of taxes that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. The collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall apply.

The owner of the real estate to which a lien has attached, as provided in the preceding paragraph, within ninety days after the statement of said lien was filed in the registry of deeds or with said assistant recorder, as the case may be, may apply in writing to said commissioner for a hearing and such hearing, after due notice, shall be given by said commissioner within a reasonable time thereafter. Said commissioner, if he is satisfied after said hearing that the amount of the claim is more than the amount actually expended to

remove the building or part thereof, may reduce the amount of the claim to the amount so actually expended. If the owner of said premises is aggrieved by any decision of said commissioner under authority of this section he may, within thirty days after notice of said decision has been mailed to him, appeal to the municipal court of the city of Boston, which shall hear and finally establish the amount of the claim.

SECTION 3. This act shall take effect upon its passage.

Approved July 10, 1941.

1941.—CHAPTER 472.

AN ACT RELATIVE TO NOMINATIONS FOR MUNICIPAL ELECTIVE OFFICES
IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section fifty-three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as most recently amended by section one of chapter one hundred and five of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the sixth line, the word "sixth" and inserting in place thereof the word:—eighth,—so that the first paragraph will read as follows:—Any registered voter who is qualified to vote for a candidate for any municipal elective office in such city may be a candidate for nomination thereto, and his name as such candidate shall be printed on the official ballot to be used at the municipal election; provided, that at or before five o'clock P.M. of the eighth Tuesday prior to such election nomination papers prepared and issued by the election commissioners, signed in person for the nomination for mayor by at least three thousand registered voters in said city qualified to vote for such candidate at said election, signed in person for the nomination for school committee by at least two thousand registered voters in said city qualified to vote for such candidate at said election and signed in person for the nomination for city councillor by at least three hundred registered voters in the ward, for which said nomination is sought, qualified to vote for such candidate at said election shall be filed with said election commissioners and the signatures on the same to the number required to make the nomination subsequently certified by the election commissioners as hereinafter provided. Said nomination papers shall be in substantially the following form:

SECTION 2. Section fifty-four of said chapter four hundred and eighty-six, as most recently amended by section two of said chapter one hundred and five, is hereby further amended by striking out, in the eleventh line, the word "ninth" and inserting in place thereof the word:—eleventh,—so as to read as follows:—*Section 54.* If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as

there are persons to be elected thereto and no more. Nomination papers shall be issued by the board of election commissioners on and after but not before the eleventh Tuesday preceding the regular municipal election. Such papers shall be issued only to candidates who shall file with the election commissioners requests therefor in writing, containing their names with the first or middle name in full, the offices for which they are candidates, and their residences, with street and number, if any. Forthwith the election commissioners shall print or insert on such nomination papers the names of the candidates, the offices for which they are nominated and their residences, with street and number, if any. Not more than three hundred such nomination papers shall be issued to any candidate for mayor, and not more than two hundred such nomination papers shall be issued to any candidate for the school committee and to any candidate for the city council there shall be issued not more than ten such nomination papers for a ward. No nomination papers except those issued in accordance with the provisions of this section shall be received or be valid.

SECTION 3. Section fifty-six of said chapter four hundred and eighty-six, as most recently amended by section three of said chapter one hundred and five, is hereby further amended by striking out, in the fourteenth line, the word "twentieth" and inserting in place thereof the word: — thirty-fourth, — by striking out, in the nineteenth line, the word "fourteenth" and inserting in place thereof the word: — twenty-eighth, — and by striking out, in the twenty-second line, the word "thirteenth" and inserting in place thereof the word: — twenty-seventh, — so as to read as follows: — *Section 56.* The names of candidates appearing on nomination papers shall when filed be a matter of public record; but the nomination papers shall not be open to public inspection until after certification. After such nomination papers have been filed, the election commissioners shall certify thereon the number of signatures which are the names of registered voters in the city qualified to sign the same. They shall not certify a greater number of names than are required to make a nomination, with one tenth of such number added thereto. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid. The election commissioners shall complete such certification on or before five o'clock P.M. on the thirty-fourth day preceding the city election. Such certification shall not preclude any voter from filing objections as to the validity of the nomination. All withdrawals and objections to such nominations shall be filed with the election commissioners on or before five o'clock P.M. on the twenty-eighth day preceding the city election. All substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock P.M. on the twenty-seventh day preceding the city election.

SECTION 4. The second paragraph of section ten of chapter fifty-three of the General Laws, as most recently amended by chapter two hundred and seventy-eight of the acts of nineteen hundred and forty-one, is hereby further amended by inserting after the word "city", the second time it occurs in the sixth line,

the words:—, except Boston,— and by inserting after the word “city” in the tenth line the words: —, except Boston,— so as to read as follows:—

In any city which does not accept section one hundred and three A of chapter fifty-four, certificates of nomination for city offices and nomination papers shall be filed on or before the twenty-first day preceding the day of the election, except as otherwise provided in any special law affecting such city. In any city, except Boston, which accepts said section one hundred and three A, certificates of nomination and nomination papers for any regular city election shall be filed on or before the twenty-eighth day preceding such city election. In any such city, except Boston, the time for presenting nomination papers for certification to the registrars of voters, and for certifying the same, shall be governed by section seven of this chapter, notwithstanding any contrary provision in any special law. In any city where primaries are held, under authority of general or special law, for the nomination of candidates for city offices, certificates of nomination and nomination papers shall be filed not later than the last day fixed for the filing of nomination papers for such primaries.

SECTION 5. This act shall take effect upon its passage.

Approved July 15, 1941.

1941.—CHAPTER 492.

AN ACT DISCONTINUING AS A PUBLIC WAY A PORTION OF
NORTHERN AVENUE IN SOUTH BOSTON.

Be it enacted, etc., as follows:

SECTION 1. All that part of Northern avenue, laid out as a highway under the provisions of chapter three hundred and eighty-one of the acts of nineteen hundred and three and lying easterly of a point five hundred and ten feet east of the easterly line of D street as now constructed connecting the ramp with said Northern avenue in South Boston, is hereby discontinued as a public way, in accordance with a plan in the office of the department of public works marked: “Portion of Northern Avenue South Boston, to be Discontinued Department of Public Works of Massachusetts Division of Waterways Francis L. Sellew, District Waterways Engineer, Acc.”.

SECTION 2. This act shall take effect upon its passage.

Approved July 22, 1941.

1941.—CHAPTER 585.

AN ACT AUTHORIZING THE TEMPORARY TRANSFER OF THE CARE,
CUSTODY AND CONTROL OF CERTAIN PARK LAND IN THE CITY OF
BOSTON TO THE TRUSTEES UNDER THE WILL OF GEORGE ROBERT
WHITE FOR CERTAIN PUBLIC PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Boston is hereby authorized to transfer to the care, custody and control of the trustees under the fourteenth clause of the will of George Robert

White so much of the park land situate in Boston, and lying between the Longfellow bridge, the Charles river basin, the Charles river dam, and Charles street, and known as the Charlesbank, as said park department and said trustees shall agree upon, for the purposes of improving the bathing beach now located at said Charlesbank and of constructing on said park land a recreation center, including facilities for indoor and outdoor exercise, rest and recreation throughout the year, said improvement and said construction to be in accordance with plans approved by said park department; upon the express condition, however, that, upon the completion of said improvement and of said construction, the care, custody and control of said land, together with all erections thereon, shall revert without further act to said park department, to be held by said park department in furtherance of the provisions of the will of said George Robert White. Said transfer shall also be upon the further express condition that if, within two years from the date of such transfer, such improvement and construction at or on said park land shall not have been completed, then the care, custody and control of said park land shall thereupon revert without further act to said park department.

SECTION 2. Upon the completion of the improvement and construction at said Charlesbank authorized by section one, the city of Boston, acting by and through said park department, may, to the extent permitted under the provisions of said will, charge a fee for the use of any services or facilities furnished in connection therewith, except that no fee shall be charged for the use of said beach; provided, that the aggregate amount of such fees charged in any fiscal year shall not exceed the estimated expense of the care and maintenance thereof during such year. Such fees shall be applied by said city only toward meeting the expense of the care and maintenance of said beach and recreation center.

SECTION 3. This act shall take effect upon its passage.

Approved August 1, 1941.

Section 1, Amended, 1943, ch. 200.

1941.—CHAPTER 604.

AN ACT FURTHER REGULATING THE PROCEDURE RELATIVE TO THE BUDGET AND APPROPRIATIONS OF THE CITY OF BOSTON AND THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and eighty-six of the acts of nineteen hundred and nine is hereby amended by striking out section three, as amended by section two of chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-four, and inserting in place thereof the three following sections:—
Section 3. All appropriations, other than for school purposes, to be met from taxes, revenue or any source other than loans, shall originate with the mayor, who, not later than the first Monday in February of each year, shall submit to the city council the annual budget of the current expenses of the city and county for the current fiscal year, and may submit thereafter such supplementary appropriation orders, as he may deem necessary. The city council may

reduce or reject any item, but, except upon the recommendation of the mayor, shall not increase any item in, nor the total of, a budget, nor add any item thereto, nor shall it originate a budget. Not later than the first Monday in April the city council shall take definite action on the annual budget by adopting, reducing or rejecting it, and in the event of their failure so to do the items and the appropriation orders in the budget as recommended by the mayor shall be in effect as if formally adopted by the city council and approved by the mayor. It shall be the duty of the city and county officials, when requested by the mayor, to submit forthwith in such detail as he may require estimates for the next fiscal year of the expenditures of the department or office under their charge, which estimates shall be transmitted to the city council.

Section 3A. In the period after the expiration of any fiscal year, and before the regular appropriations have been made by the city council and the school committee, city and county officers who are authorized to make expenditures, and the school committee, may incur liabilities in carrying on the work of the several departments and offices entrusted to them, and payments therefor shall be made from the treasury from any available funds therein and charged against the next annual appropriation, or special appropriation, if any is made; provided, that the liabilities incurred during such interval for regular employees do not exceed in any one month the average monthly expenditure of the last three months of the preceding fiscal year, and that the total liabilities incurred during said interval do not exceed in any one month the sums spent for similar purposes during any one month of the preceding fiscal year; and provided, further, that said officers who are authorized to make expenditures may expend in any one month for any new officer or board lawfully created an amount not exceeding one twelfth of the estimated cost for the current fiscal year; and provided, further, that until a regular or special appropriation has been made for snow removal, expenditures may be made for that purpose to an amount not exceeding the average of the annual expenditures for snow removal in the five preceding fiscal years.

Section 3B. After an appropriation of money has been duly made by the city of Boston for any specific purpose, or for the needs and expenditures of any city department or county office, no transfer of any part of the money thus appropriated shall be made except in accordance with and after the written recommendation of the mayor to the city council, approved by a ye and nay vote of two thirds of all the members of the city council; provided, that the city auditor, with the approval in each instance of the mayor, may make transfers, other than for personal service, from any item to any other item within the appropriations for a department, division of a department or county office. After December twentieth in each year the city auditor may, with the approval of the mayor, apply any income and taxes not disposed of and make transfers from any appropriation to any other appropriation for the purpose only of closing the accounts of the fiscal year.

SECTION 2. Chapter three hundred and twenty of the acts of eighteen hundred and eighty-nine and chapter two hundred and sixty-one of the acts of eighteen hundred and ninety-three are hereby repealed.

Approved August 2, 1941.

1941.— CHAPTER 639.

AN ACT AUTHORIZING COUNTIES, CITIES, TOWNS AND DISTRICTS TO CO-OPERATE WITH THE FEDERAL GOVERNMENT IN RELATION TO DEFENSE PUBLIC WORKS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to further co-operate with the federal government without delay in national defense in the present emergency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter four hundred and four of the acts of nineteen hundred and thirty-five, added by chapter four hundred and fourteen of the acts of nineteen hundred and thirty-six, and as most recently amended by section one of chapter four hundred and twenty-three of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out all after the word "thirty-nine" in the eleventh line and inserting in place thereof the following:—, nineteen hundred and forty, nineteen hundred and forty-one and nineteen hundred and forty-two, authorizing grants or loans of federal money for public works projects or defense public works,—so as to read as follows:— *Section 9.* Wherever, in Part I of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, and acts in amendment thereof and in addition thereto, reference is made to the National Industrial Recovery Act or any title or part thereof, or to the Emergency Relief Appropriation Act of 1935, such reference shall be deemed and held to refer also to all acts and joint resolutions of Congress enacted during nineteen hundred and thirty-six, nineteen hundred and thirty-seven, nineteen hundred and thirty-eight, nineteen hundred and thirty-nine, nineteen hundred and forty, nineteen hundred and forty-one and nineteen hundred and forty-two, authorizing grants or loans of federal money for public works projects or defense public works.

SECTION 2. If a county, city, town or district shall have an agreement with the federal government whereby such government grants such county, city, town or district a sum of money to be used with funds provided by said county, city, town or district for a public works project, including defense public works projects, and shall be required primarily to pay that portion of the expense for which reimbursement is to be received from the grant, the treasurer of such county, city, town or district, with the approval of the county commissioners, mayor, selectmen, prudential committee or commissioners, as the case may be, in anticipation of the receipt of the proceeds of such grant, may incur debt, which, in the case of a city or town, shall be outside the debt limit, to an amount not exceeding the amount of the grant as shown by the grant agreement, and may issue notes therefor, payable in not exceeding one year from their dates. Any loan issued under this act for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity or the re-funding loan shall not be more than one year. The proceeds of the

grant, so far as necessary, shall be applied to the discharge of the loan. The treasurer of any county, city, town or district which now has outstanding any temporary loan issued under authority of chapter eighty-two of the acts of nineteen hundred and thirty-eight, or hereafter issued under authority of this act may, with the approval of the board specified in section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, extend such temporary loan for a period or periods not exceeding, in the aggregate, six months beyond the term provided for an original loan by the act under which such loan was made.

SECTION 3. Chapter eighty-two of the acts of nineteen hundred and thirty-eight is hereby repealed.

Approved October 9, 1941.

See 1938, ch. 50; 1938, ch. 395; 1938, ch. 398; 1941, ch. 148.

1941.—CHAPTER 695.

AN ACT AUTHORIZING THE TURNING-OVER OF THE BOSTON AIRPORT, SO CALLED, TO THE COMMONWEALTH AND PROVIDING FOR THE IMPROVEMENT THEREOF AND MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO AIRPORTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prepare with the utmost expedition for national defence in the present emergency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The term of the lease from the commonwealth to the city of Boston, in this act called the city, of land in that part of the city called East Boston, under chapter sixty-four of the resolves of nineteen hundred and twenty-eight, and the term of the lease from the commonwealth to the city of other land in said part of the city under chapter fifty-three of the resolves of nineteen hundred and thirty, shall, as provided in section two, terminate prior to the termination of the stated terms thereof, anything in either of said leases to the contrary notwithstanding, upon receipt by the city from the commonwealth of one million twenty-six thousand and eight hundred dollars (being the amount determined by the special commission, appointed under authority of chapter eight of the resolves of the current year, to be the values of certain items referred to in said leases). In this act the premises covered by the aforesaid leases are referred to as the airport property.

SECTION 2. Subject to section eleven, the commonwealth shall make to the city payment of the sum specified in section one at the office of the treasurer of the city during regular office hours in the forenoon of any business day prior to the fortieth day following the effective date of this act. At one o'clock post meridian of the day of such payment, said date in this act being called the termination date, and without further action by the city or by the commonwealth, the terms of the aforesaid leases shall terminate. all interest of the city in and to the airport property, including buildings with the equipment therein contained, shall cease, the

city shall deliver possession of said property to the commonwealth, subject to section four, and the commonwealth shall assume the city's financial responsibility for and take over, so far as it legally may, all unfinished work then being carried on by the city or by the Works Project Administration or other federal agency upon or for the benefit of the airport property, except any such work initiated after March thirty-first of the current year which shall not have been approved in advance in writing by the state department of public works, in this act called the department.

SECTION 3. Within sixty days after the termination date, the city shall account for and pay to the commonwealth all amounts received or receivable from the operation of the airport property between March thirty-first of the current year and the termination date, and the commonwealth shall reimburse the city for all expenditures made or incurred upon or for the benefit of the airport property during said period, except expenditures made or incurred for any new project or work upon or for the benefit of the airport property initiated during said period without the approval in advance in writing of the department.

SECTION 4. Upon the termination date, the commonwealth shall accept as tenants and licensees, under the terms of existing tenancies and licenses which were in effect on March thirty-first of the current year, all tenants and licensees of the city of portions of the airport property, or their assignees. The city shall hold the commonwealth harmless from loss or damage arising out of or in connection with any claim asserted by any such tenant, licensee or assignee in regard to a cause arising or accrued prior to the termination date.

SECTION 5. The department is hereby authorized to construct dikes and bulkheads and to do any other work at or adjacent to the airport property which in its opinion is necessary to provide an area within which filling may be placed for the enlargement of the airport property. No work authorized by this section or section six shall be begun until the Congress shall make available an initial sum of one million five hundred thousand dollars for dredging a seaplane channel in accordance with the project described in document three hundred and sixty-two of the seventy-sixth Congress, first session.

SECTION 6. The department is hereby authorized to furnish, free of cost to the United States of America, as and when required, all lands, easements, rights of way and spoil-disposal areas for the initial work and subsequent maintenance in connection with the project referred to in section five. The commonwealth hereby agrees to hold and save the United States of America free from claims for damages resulting from the improvement under said project, and to give assurances satisfactory to the Secretary of War that it will, at its expense, provide suitable bulkheads, dikes or other structures for the retention of excavated material. The department is hereby authorized to acquire by purchase, gift, deed or otherwise, or to take by eminent domain under chapter seventy-nine of the General Laws, such lands, flats, or rights therein, public or private, as may be necessary for the purposes set forth in this section and section five.

SECTION 7. The department is hereby further authorized to fill, grade and construct runways, dikes and bulkheads, erect buildings and make other improvements at or adjacent to the airport, in accordance with plans prepared by or under direction of the department; provided, that no work shall be done in accordance therewith unless a copy of such plans shall first have been submitted to the Massachusetts aeronautics commission and said commission shall have made to the department its recommendations relative thereto or thirty days have elapsed without any such recommendations. In this section and the following sections of this act, the term airport shall mean the airport property as enlarged and improved in accordance with this act. For the purposes of this section, the department is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or by purchase or otherwise, necessary public or private lands and rights and easements therein, including such air rights as may be certified by said commission to the department to be necessary to provide unobstructed air space for the safe and convenient landing and taking off of aircraft utilizing the airport, and also including the right or easement, for a limited period of time or perpetually, to place and maintain such suitable marks for the daytime, and to place, operate and maintain such suitable lights for the nighttime, marking of buildings, or other structures or obstructions, as may be necessary for the safe and convenient operation of aircraft utilizing the airport; provided, that no lands or rights or easements therein, other than air rights and rights or easements connected with the placing, operating and maintaining of marks and lights, shall be so acquired until after the department has submitted the proposition to said commission and said commission has made to the department its recommendations relative thereto or thirty days have elapsed without any such recommendations.

SECTION 8. The department, acting in the name and behalf of the commonwealth, may lease or convey to the United States of America, with or without consideration, such part of the property at the airport as may be necessary for the construction and maintenance of any aid to aerial navigation. The department may also authorize the United States of America to use the airport without monetary consideration for such period as the airport shall be used for airport purposes and as the lease of Governor's island referred to in section ten shall remain in effect. The department may enter into such agreements with the federal government relative to the construction, maintenance and operation of the airport as may be necessary in order to obtain federal funds and assistance, and for such purposes may expend such funds in addition to any moneys provided therefor under section nine.

SECTION 9. Subject to the approval of the governor and council, the state treasurer, in order to provide funds for payment by the commonwealth to the city of the sum specified in section one, shall without further authority, and, in order to provide funds for other purposes of this act, shall from time to time upon the request of the commissioner of public works of the commonwealth, issue bonds of the commonwealth to an amount not exceeding, in the aggregate, the sum of two million dollars, which shall bear on their

face the words BOSTON AIRPORT BONDS — 1941. Such bonds shall be issued as coupon or registered bonds for such term of years as may be recommended by the governor in accordance with section 3 of article LXII of the amendments to the constitution, but such bonds shall be payable not earlier than July first, nineteen hundred and forty-three, nor later than July first, nineteen hundred and forty-eight. Such bonds shall bear interest at such rate as shall be fixed by the state treasurer, with the approval of the governor and council.

SECTION 10. The city, acting by its mayor and city council, is hereby authorized and empowered to transfer to the commonwealth without monetary consideration such right, title and interest as it may have as lessee in and to a lease given in the year nineteen hundred and thirty-six by the United States of America of Governor's island, an island in Boston harbor, and such right, title and interest as it may have in and to two parcels of land in Boston harbor, the first of said parcels consisting of Apple island, an island in Boston harbor, together with the flats appurtenant thereto, and the second of said parcels of land being a portion of the flats appurtenant to World War Memorial park, acquired for park purposes, lying east and south of a line marked T-U in the harbor line as described in chapter four hundred and eleven of the acts of nineteen hundred and thirty-nine, and said line as extended southwesterly to the property line between the said city flats and the flats of the commonwealth.

SECTION 11. The provisions of this act except this section shall be void and of no effect unless, within thirty days after the effective date of this act, the mayor of the city files in the office of the state secretary a writing or writings in which he states that the city is ready and willing to carry out sections one to four, inclusive, and that the city, pursuant to action duly taken by its mayor and city council, will, upon receipt from the commonwealth of the sum specified in section one, make to the commonwealth the transfers referred to in section ten.

SECTION 12. Section two of chapter four hundred and seventy-six of the acts of nineteen hundred and thirty-nine is hereby repealed.

SECTION 13. Section thirty-nine of chapter ninety of the General Laws, as appearing in section three of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty-nine, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—The commission shall have supervision and control over all aeronautical activities and facilities within the commonwealth, which authority shall be deemed to include supervision and control over all airports, landing fields, landing strips, air instruction, air markings, air beacons and all air navigation facilities within the commonwealth; provided, that nothing in this paragraph shall be deemed to grant to or impose upon the commission any right or duty with respect to the management or maintenance of any such aeronautical activity or facility; and provided, further, that the commission shall have only advisory powers with respect to the management and maintenance of airports owned and maintained by the commonwealth.

SECTION 14. The commissioner of public works shall establish in the division of waterways a bureau of airport management. Said bureau shall be in charge of a manager to be appointed by said commissioner and shall, under the direction of the director of the division of waterways, maintain and operate all airports owned and maintained by the commonwealth.

SECTION 15. All receipts received by the commonwealth from the operation of airports owned and maintained by it shall be paid into the state treasury and credited to the Port of Boston Fund.

SECTION 16. The commissioner of public works may temporarily employ such engineering, clerical and other assistants as he deems necessary for the purpose of carrying out the work authorized by sections five, six and seven. Such persons shall be employed subject to chapter thirty-one of the General Laws, except that their employment may continue until the completion of said work, any provision of said chapter thirty-one to the contrary notwithstanding.

Approved October 24, 1941.

See Resolves 1928, ch. 64; Resolves 1930, ch. 53; Resolves 1937, ch. 72.

The "writing" referred to in section 11 was filed by the mayor, in the office of the state secretary, on November 12, 1941.

The city, acting under the provisions of section 10, transferred the right, title and interest in the lease and in the land referred to in said section to the commonwealth on December 1, 1941, pursuant to an order of the city council passed on November 10, 1941, and approved by the mayor on November 12, 1941.

Payment by the commonwealth to the city, of the sum specified in section 1, was made, in accordance with the provisions of section 2, on December 1, 1941.

See 1941, ch. 15; 1943, ch. 528.

1941.—CHAPTER 711.

AN ACT RELATIVE TO THE BOSTON TERMINAL COMPANY, THE ASSESSMENT OF ITS REAL ESTATE, AND THE PAYMENT OF TAXES THEREON.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter five hundred and sixteen of the acts of eighteen hundred and ninety-six, as amended by chapter three hundred and sixty-three of the acts of nineteen hundred and twenty-one shall, subject to the changes hereinafter specified, apply to any railroad company which by reason of reorganization under the bankruptcy laws of the United States shall have acquired the property, assets, or franchises of any or all of the railroad companies named in the said chapter five hundred and sixteen.

SECTION 2. Upon and after the effective date of the conveyance, pursuant to a plan of reorganization under said bankruptcy laws of the United States, to the reorganized New York, New Haven and Hartford Railroad Company of the property, assets, and franchises of the Boston and Providence Railroad Corporation and the Old Colony Railroad Company, there shall be exempt from local taxation so much of the real estate described in said chapter five

hundred and sixteen and used for railroad purposes as lies within the following areas, as shown on "Plan of Boston Terminal Co. property showing 4-5 rod strips of land between Fort Point Channel and southerly end of shelters, Boston, July 8, 1941. Henry C. Mildram, Real Est. Engr.", on file in the office of the state secretary:—

(a) In the part of the land used for operation, management, and maintenance of lines of the Old Colony Railroad Company immediately before the effective date of said conveyance, a strip five rods wide beginning at Fort Point channel and Dorchester avenue and extending northerly eight hundred and eight feet more or less on the easterly side and one thousand and sixty-three feet more or less on the westerly side to a line eight hundred and ninety feet south of the concourse of the present station and running parallel thereto through the southerly end of the platform shelter extending farthest from the concourse, comprising a total area of seventy-four thousand square feet more or less, but not including any building, appurtenance or other improvement on said land, except tracks, platforms, canopies, signal apparatus and appurtenances.

(b) In the part of the land used for operation, management, and maintenance of lines of the New York, New Haven and Hartford Railroad Company immediately before the effective date of said conveyance, a strip five rods wide beginning at Fort Point channel and extending northerly one thousand and sixty-three feet more or less on the easterly side and one thousand one hundred and seventy feet more or less on the westerly side to the said line running through the southerly end of the platform shelter extending farthest from the concourse, comprising a total area of ninety-two thousand one hundred square feet more or less, but not including any building, appurtenance or other improvement on said land, except tracks, platforms, canopies, signal apparatus and appurtenances.

(c) In the part of the land used for operation, management, and maintenance of lines of the Boston and Providence Railroad Corporation immediately before the effective date of said conveyance, a strip five rods wide beginning at Fort Point channel and extending northerly one thousand two hundred and sixty feet more or less on the easterly side and one thousand three hundred and sixty-five feet more or less on the westerly side to the said line running through the southerly end of the platform shelter extending farthest from the concourse, comprising a total area of one hundred and eight thousand three hundred square feet more or less, but not including any building, appurtenance or other improvement on said land, except tracks, platforms, canopies, signal apparatus and appurtenances.

(d) In the part of the land used for operation, management, and maintenance of lines of the Boston and Albany Railroad Company a strip five rods wide beginning at Fort Point channel and extending northerly one thousand three hundred and sixty-five feet more or less on the easterly side and one thousand four hundred and seventy-five feet more or less on the westerly side to the said line running through the southerly end of the platform shelter extending farthest from the concourse, comprising a total area of one hundred and seventeen thousand one hundred and fifty square feet more or less, but not

including any building, appurtenance or other improvement on said land, except tracks, platforms, canopies, signal apparatus and appurtenances.

Provided, however, that none of the said land used by the reorganized New York, New Haven and Hartford Railroad Company as described in this section shall be exempt pursuant to this section if railroad service into or out of the city of Boston upon any of the lines owned or formerly owned by the Old Colony Railroad Company, the New York, New Haven and Hartford Railroad Company, or the Boston and Providence Railroad Corporation is discontinued or substantially diminished after the effective date of this act other than with the permission of the department of public utilities; and that none of the land used by the Boston and Albany Railroad Company as described in this section shall be exempt pursuant to this section if railroad service into or out of the city of Boston upon any of the lines of the said Boston and Albany Railroad Company is discontinued or substantially diminished after the effective date of this act other than with the permission of the department of public utilities.

SECTION 3. Upon and after the effective date of the conveyance, pursuant to a plan of reorganization under said bankruptcy laws of the United States, to the reorganized New York, New Haven and Hartford Railroad Company of the property, assets and franchises of the Boston and Providence Railroad Corporation and the Old Colony Railroad Company, the Boston and Albany Railroad Company, and the reorganized New York, New Haven and Hartford Railroad Company shall, in the assessment of real estate taxes under section twenty-five of said chapter five hundred and sixteen each be deemed to be the owner of said real estate in the proportion in which each of said two railroad companies then has the use thereof under the said act as affected by this act; but nothing herein shall affect the existence or enforcement of any lien elsewhere provided for by law on account of such taxes. *Approved October 29, 1941.*

RESOLVES OF 1941.—CHAPTER 20.

RESOLVE PROVIDING FOR THE REIMBURSEMENT IN PART OF THE CITY OF BOSTON BY THE COMMONWEALTH FOR EXPENSES INCURRED BY SAID CITY IN THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL THEREIN.

Resolved, That, subject to appropriation, there be allowed and paid by the commonwealth from the Highway Fund to the city of Boston the sum of two hundred thousand dollars, to reimburse said city in part for expenses incurred by it in the operation and maintenance of the vehicular tunnel between Boston proper and East Boston, known as the Sumner tunnel, one half of said sum to be paid as aforesaid on September first in the current year and one half on July first in the year nineteen hundred and forty-two.

Approved May 28, 1941.

See Resolves 1938, ch. 83; Resolves 1939, ch. 71; Resolves 1943, ch. 25.

1942 SPECIAL SESSION.— CHAPTER 4.

AN ACT . . . REGULATING THE . . . TRANSFER OF CERTAIN APPROPRIATIONS IN THE CITY OF BOSTON . . .

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to empower the cities, towns and districts of the commonwealth to take without delay in the existing emergency of war the action provided for therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

* * * * *

SECTION 3. During the continuance of the existing state of war between the United States and any foreign country, notwithstanding the provisions of section three B of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, inserted in said chapter by section one of chapter six hundred and four of the acts of nineteen hundred and forty-one, the vote required for approval by the city council of the city of Boston of any transfer of appropriation, other than a loan appropriation, shall be by a ye and nay vote of a majority of all the members of the city council.

* * * * *

Approved January 31, 1942.

1943.— CHAPTER 26.

AN ACT SUSPENDING THE OPERATION OF CERTAIN PROVISIONS OF LAW RELATIVE TO THE REMOVAL OF OVERHEAD WIRES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The duty placed upon the fire commissioner of the city of Boston by section one of chapter one hundred and one of the acts of nineteen hundred and thirty-one, as amended by section one of chapter one hundred and ten of the acts of nineteen hundred and thirty-six and by section one of chapter one hundred and ten of the acts of nineteen hundred and forty-one, to prescribe in said city, in the month of January of each year, to and including the year nineteen hundred and forty-six, not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, is hereby suspended. Said suspension shall be effective for the year nineteen hundred and forty-three, and for each year thereafter during any part of which the present state of war continues, but shall not affect prescriptions already made by said fire commissioner for years prior to the year nineteen hundred and forty-three, nor shall it affect the power of said commissioner to enforce any such prior prescription.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1943.

1943.—CHAPTER 78.

AN ACT RELATIVE TO THE INCLUSION OF THE MARKET DEPARTMENT OF THE CITY OF BOSTON IN THE PUBLIC BUILDINGS DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The market department of the city of Boston is hereby merged with, and shall hereafter constitute the division of markets of, the public buildings department of said city.

SECTION 2. The title of the superintendent of markets of the city of Boston shall hereafter be the director of markets of the city of Boston.

SECTION 3. The office of director of markets established by this act shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the person holding the office of superintendent of markets of the city of Boston immediately prior to said effective date shall be subjected by the division of civil service to a non-competitive qualifying examination for the office of director of markets established by this act, and if he passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 4. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, approved by the mayor.

Approved March 12, 1943.

Accepted by City Council April 5, 1943.

Approved by the Mayor April 6, 1943.

1943.—CHAPTER 161.

AN ACT RELATIVE TO THE CONTENTS OF PAY ROLLS, BILLS AND ACCOUNTS FOR SALARY OR COMPENSATION OF PERSONS IN THE SERVICE OR EMPLOYMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and ten of the acts of nineteen hundred and eight is hereby amended by striking out section two and inserting in place thereof the following section:—*Section 2.* Every such pay roll, bill or account, before the certificate of the civil service commission or its authorized agent is affixed thereto, shall be sworn to by the head of the department, or by the person who is immediately responsible for the appointment, employment, promotion or transfer, of the persons named therein, and shall contain, in addition to such other information as the civil service commission or its authorized agent may require, the following information:—First, full name of each employee; second, title of office or position in which actually employed; third, salary, wages or other compensation; fourth, dates of employment.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1943.

1943.— CHAPTER 163.

AN ACT EXTENDING THE TIME FOR THE ACQUISITION BY THE CITY OF BOSTON OF THE PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Be it enacted, etc., as follows:

Section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the fifth line, the word "forty-three" and inserting in place thereof the word:— forty-five,— so as to read as follows:— *Section 1.* The City of Boston, hereinafter referred to as the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and forty-five, purchase or take by eminent domain the property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

Approved April 12, 1943.

See 1938, ch. 15; 1939, ch. 208.

1943.— CHAPTER 200.

AN ACT EXTENDING THE TIME FOR COMPLETING CERTAIN IMPROVEMENTS AND CONSTRUCTION ON PARK LAND IN THE CITY OF BOSTON KNOWN AS THE CHARLESBANK, TO BE PAID FOR OUT OF THE GEORGE ROBERT WHITE FUND.

Be it enacted, etc., as follows:

Section one of chapter five hundred and eighty-five of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the twenty-first line, the word "two" and inserting in place thereof the word:— four,— so as to read as follows:— *Section 1.* The park department of the city of Boston is hereby authorized to transfer to the care, custody and control of the trustees under the fourteenth clause of the will of George Robert White so much of the park land situate in Boston, and lying between the Longfellow bridge, the Charles river basin, the Charles river dam, and Charles street, and known as the Charlesbank, as said park department and said trustees shall agree upon, for the purposes of improving the bathing beach now located at said Charlesbank and of constructing on said park land a recreation center, including facilities for indoor and outdoor exercise, rest and recreation throughout the year, said improvement and said construction to be in accordance with plans approved by said park department; upon the express condition, however, that, upon the completion of said improvement and of said construction, the care, custody and control of said land, together with all erections thereon, shall revert without further act to said park department, to be held by said park department in furtherance of the provisions of the will of said George Robert White. Said transfer shall also be upon the further express condition that if, within four years from the date of such transfer, such improvement and construction at or on said park land shall not have been completed, then the care, custody and control of said park land shall thereupon revert without further act to said park department.

Approved April 22, 1943.

1943.—CHAPTER 203.

AN ACT RELATIVE TO SIDEWALK ASSESSMENTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and thirty-seven of the acts of eighteen hundred and ninety-three is hereby amended by striking out section one, as most recently amended by section one of chapter one hundred and ninety-six of the Special Acts of nineteen hundred and seventeen, and inserting in place thereof the following section:—*Section 1.* The city council of the city of Boston, with the approval of the mayor, may order the grading and construction of sidewalks, or the completion of any partly constructed sidewalk in any street of said city, as public convenience may require, with or without edgestones as the council shall deem expedient, and may order that the same be covered with brick, stone, concrete, artificial stone, gravel or other appropriate material. Within six months after the completion of such sidewalk, provided that entry for the purpose of constructing, grading or completing the sidewalk shall be made within two years after the date of the approval by the mayor of the order therefor, the board of street commissioners of said city shall assess upon each abutter on such sidewalk a just proportion, not exceeding one half, of the expense of the sidewalk. All assessments so made shall constitute a lien upon the abutting land from and after the date of entry to construct, grade or complete the sidewalk under order of the city council, but no lien or incumbrance shall be created by the passage of the order by the city council. The provisions of chapter eighty of the General Laws, and acts in amendment or revision thereof, relative to the apportionment, division, reassessment, abatement and collection of assessments, and to interest, shall apply to assessments made hereunder. The said sidewalks when constructed with edgestones and covered with brick, stone, concrete or artificial stone shall afterward be maintained at the expense of the city. When any such sidewalk shall permanently be constructed with edgestones and covered with brick, stone, concrete or artificial stone as aforesaid, there shall be deducted from the assessment therefor any sum previously assessed upon the abutting premises and paid to the city for the expense of the construction of the same in any other manner than with edgestones and brick, stone, concrete or artificial stone as aforesaid, and such deduction shall be made pro rata, and in just proportions, from the assessments upon different abutters who are owners of the land in respect to which such former assessment was paid.

SECTION 2. If at any time the commissioner of corporations and taxation of the commonwealth is of the opinion that the whole or any part of an assessment made under section one of chapter four hundred and thirty-seven of the acts of eighteen hundred and ninety-three, or acts in addition thereto or in amendment thereof, should be abated, he may in writing authorize such assessment or part thereof, provided that it remains unpaid, to be abated by the board of street commissioners of the city of Boston, which board may thereupon abate such assessment or part thereof, as the case may be.

SECTION 3. The board of street commissioners may, within six months after the date when this act takes full effect, make assessments for sidewalks completed prior to such effective date if assessments were not made therefor before such effective date.

SECTION 4. This act shall take full effect upon its acceptance by vote of the city council, with the approval of the mayor, of said city of Boston, but not otherwise.

Approved April 26, 1943.

Accepted by the City Council May 10, 1943.

Approved by the Mayor May 11, 1943.

1943.— CHAPTER 204.

AN ACT RELATIVE TO RETIREMENT ALLOWANCES FOR POLICEMEN AND FIREMEN RETIRED FOR ACCIDENTAL DISABILITY UNDER THE BOSTON RETIREMENT ACT, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. Clause (c) of section fourteen of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by adding at the end the following:—; provided, that if the employee was a member of the fire fighting force of the fire department or a patrolman in the police department, the amount of such additional pension shall, together with the annuity and pension, be equal to three fourths of the highest annual compensation payable to such employees holding positions in the same grade and classification occupied by him at the time of the accident,— so as to read as follows:—

(c) An additional pension of such an amount as will, together with the annuity and pension, be equal to three fourths of the annual compensation received by him during the year immediately preceding the date of the accident; provided, that if the employee was a member of the fire fighting force of the fire department or a patrolman in the police department, the amount of such additional pension shall, together with the annuity and pension, be equal to three fourths of the highest annual compensation payable to such employees holding positions in the same grade and classification occupied by him at the time of the accident.

SECTION 2. This act shall apply to the retirement allowances of firemen and policemen retired for accidental disability under the provisions of said chapter five hundred and twenty-one, as amended, prior to the effective date of this act as well as to those retired therefor after said effective date.

SECTION 3. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, but not otherwise.

Approved April 26, 1943.

Accepted by the City Council May 10, 1943.

Approved by the Mayor June 4, 1943.

1943.—CHAPTER 218.

AN ACT AUTHORIZING THE TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON TO PETITION IN EQUITY FOR AUTHORITY TO INVEST AND APPROPRIATE FUNDS AND PROPERTY HELD BY THEM IN ACCORDANCE WITH SUCH FINAL DECREE AS THE COURT SHALL MAKE, AND TO AUTHORIZE SAID TRUSTEES TO INVEST AND APPROPRIATE IN ACCORDANCE WITH THE COURT'S FINAL DECREE.

Be it enacted, etc., as follows:

Section two of chapter one hundred and fourteen of the acts of eighteen hundred and seventy-eight, as amended by chapter one hundred and sixteen of the Special Acts of nineteen hundred and nineteen and by chapter fifty of the acts of nineteen hundred and thirty-one, is hereby further amended by adding at the end the following sentence:— But nothing herein contained shall restrict said corporation from bringing a petition in equity in the probate court or the supreme judicial court to be permitted to invest or appropriate the principal or income of funds or property held by said corporation in such manner as said court may by final decree authorize; and said corporation is hereby authorized to invest and appropriate in accordance with such decree,—so as to read as follows:— *Section 2.* Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding twenty million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the public library of the city of Boston or any branch library, or any purpose connected therewith. Money received by it shall be invested by the treasurer of the city of Boston under the direction of said corporation; and all securities belonging to said corporation shall be placed in the custody of said treasurer: *provided, always,* that both the principal and income thereof shall be invested and appropriated according to the terms of the donation, devise or bequest. But nothing herein contained shall restrict said corporation from bringing a petition in equity in the probate court or the supreme judicial court to be permitted to invest or appropriate the principal or income of funds or property held by said corporation in such manner as said court may by final decree authorize; and said corporation is hereby authorized to invest and appropriate in accordance with such decree.

Approved April 30, 1943.

1943.—CHAPTER 231.

AN ACT SUBJECTING TO THE CIVIL SERVICE LAWS THE OFFICES AND POSITIONS OF THE MUNICIPAL EMPLOYMENT BUREAU OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The offices and positions of the municipal employment bureau of the city of Boston shall, upon the effective date of this act, become subject to the civil service laws and the rules and regulations thereunder, and the terms of office of any incumbents of said offices and positions shall be unlimited, subject to said laws.

The persons holding said offices and positions on said effective date shall be subjected to a non-competitive qualifying examination by the division of civil service, and those passing said examination shall be certified for their respective offices and positions and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1943.

1943.— CHAPTER 256.

AN ACT AUTHORIZING THE BOSTON SCHOOL COMMITTEE TO PROVIDE FREE LUNCHESES FOR CERTAIN UNDERNOURISHED AND NEEDY PUPILS.

Be it enacted, etc., as follows:

The school committee of the city of Boston is hereby authorized to provide free lunches for undernourished and needy children attending its public schools.

Approved May 10, 1943.

1943.— CHAPTER 271.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to expend a sum of money not to exceed three thousand one hundred and sixty-four dollars and sixty-four cents to pay such unpaid bills incurred in the year nineteen hundred and thirty-nine by the public welfare department of said city with Nutter's System, Inc. as are now on file in the city auditor's office, such bills being legally unenforceable against said city by reason of an error in the contract executed to cover the services rendered by said company.

SECTION 2. No bills shall be approved by the city auditor of said city for payment under authority of this act unless and until certificates have been signed and filed with said auditor stating, under the penalties of perjury, that the services for which bills have been submitted were ordered by an official or an employee of said city and that such services were rendered to said city. Payment of said bills shall be charged to the encumbered balance set aside or reserved by the city auditor at the time orders were originally issued to Nutter's System, Inc. for the performance of the services represented by the bills.

SECTION 3. This act shall take effect upon its passage.

Approved May 14, 1943.

1943.— CHAPTER 274.

AN ACT PROVIDING FOR ONE DAY OFF IN EVERY SIX DAYS FOR POLICE OFFICERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Members of the police department of the city of Boston shall be excused from duty for one day out of every six

without loss of pay. The time and manner of excusing members of said police department from duty shall be determined by the police commissioner for said city. A member so excused shall be exempt from duty and from attendance at a police station or other place, but otherwise shall be subject to all laws, rules and regulations relating to members of said department. Said police commissioner, in case of any public emergency, or of any unusual demand for the services of the police in said city, may prevent any member of said department from taking the day off at the time when he is entitled thereto, or at the time assigned therefor; provided, that such day off shall be granted to him as soon thereafter as is practicable. In no case shall the number of such days off be less than sixty in each year and they shall be in addition to any annual vacation now or hereafter allowed to members of said department, and such annual vacation shall not be diminished on account thereof.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that no such acceptance shall take place prior to the expiration of ninety days after the termination of the existing states of war between the United States and any foreign country has been officially proclaimed.

Approved May 14, 1943.

See 1938, ch. 122.

1943.— CHAPTER 279.

AN ACT TO EXEMPT FROM TAXATION THE REAL ESTATE IN BOSTON OF THE ISABELLA STEWART GARDNER MUSEUM, INCORPORATED, TRUSTEE UNDER THE WILL OF ISABELLA STEWART GARDNER.

Be it enacted, etc., as follows:

The real estate, hereinafter described, located in the city of Boston and held by The Isabella Stewart Gardner Museum, Incorporated, as trustee under the will of Isabella Stewart Gardner, shall be exempt from taxation beginning January first, nineteen hundred and forty-three, and continuing so long as the museum, known as the Isabella Stewart Gardner Museum, is operated by said corporation for the education and enjoyment of the public. Said real estate includes the building housing said museum and is bounded northwesterly by Worthington street; northeasterly by the Fenway; southeasterly by Evans way; southwesterly by land now or formerly of Carol H. Powers *et al.*, one hundred and twenty-one hundredths feet; and northwesterly thirty-two and sixty-nine hundredths feet and southwesterly eighty-four and eighty-nine hundredths feet by land now or formerly of Harold J. Coolidge *et al.*, trustees; containing about sixty-six thousand, seven hundred and ninety-four square feet.

Approved May 14, 1943.

1943.— CHAPTER 289.

AN ACT RELATIVE TO THE VOTE REQUIRED FOR THE PASSAGE OF CERTAIN ORDERS BY THE CITY COUNCIL OF THE CITY OF BOSTON AND TO THE NUMBER OF MEMBERS THEREOF NECESSARY TO PROCEED WITH THE DRAWING OF JURORS, DURING THE PRESENT WAR.

Be it enacted, etc., as follows:

SECTION 1. During the continuance of the existing state of war between the United States and any foreign country, the vote required for the passage of orders by the city council of the city of Boston under section two of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended, or under any other general or special law applicable to said city which requires a vote of two thirds of the members, shall be the vote of two thirds of the members of said city council exclusive of those members who are in the military or naval forces of the United States and are not present at the meeting at which any such vote is taken at the time of the vote.

SECTION 2. When jurors are to be drawn in the city of Boston during the continuance of the existing state of war between the United States and any foreign country, a majority of the members of the city council, exclusive of those members who are in the military or naval forces of the United States, shall be a sufficient number to proceed with such drawing in the manner prescribed by section eighteen of chapter two hundred and thirty-four of the General Laws.

SECTION 3. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 14, 1943.

Not yet accepted. (September 15, 1943.)

1943.— CHAPTER 326.

AN ACT PLACING CERTAIN POSITIONS IN THE HEALTH DEPARTMENT OF THE CITY OF BOSTON UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

The positions of dentists, dental hygienists and supply clerks in the health department of the city of Boston shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The persons holding said positions on said effective date may continue to serve therein, but they shall not be subject to said civil service laws and rules and regulations unless and until they pass a qualifying examination to which they shall be subjected by the division of civil service.

Approved May 25, 1943.

1943.—CHAPTER 351.

AN ACT AUTHORIZING THE FIRE COMMISSIONER OF THE CITY OF BOSTON TO ISSUE PERMITS TO THE BOSTON SCHOOL COMMITTEE FOR THE KEEPING, STORAGE AND MAINTENANCE OF AUTOMOTIVE EQUIPMENT AND VOLATILE INFLAMMABLE FLUIDS ON THE PREMISES OF A SCHOOL IN CONNECTION WITH THE CONDUCT OF "SHOP COURSES", SO-CALLED.

Be it enacted, etc., as follows:

SECTION 1. The fire commissioner of the city of Boston, upon application by the school committee of said city, may issue a permit authorizing said school committee to keep, store and maintain on the premises of such school or schools as may be specified in such permit, motor vehicles, motors, engines and any automotive equipment for use in connection with "shop courses", so-called, conducted at such school or schools, and to keep, store and use such quantities of volatile inflammable liquids as are reasonably necessary to conduct said courses; provided, that no such permit shall be issued hereunder if, in the opinion of the fire commissioner, the keeping, storage or maintenance of such motor vehicles, motors, engines and automotive equipment and the keeping, storage or use of volatile inflammable liquids would constitute a fire or explosion hazard. Permits granted hereunder shall be in accordance with and subject to such terms and conditions as said fire commissioner may prescribe, and shall expire on the thirty-first day of August following the date of issue or on such other date as may be specified therein.

Any permit issued under the provisions of this act shall be in lieu of any other permit that may be required by the provisions of any law, ordinance, rule or regulation with respect to the keeping, storage or maintenance of motor vehicles, motors, engines or other automotive equipment or to the keeping, storage or use of volatile inflammable liquids, and no school building wherein motor vehicles are kept, stored or maintained as provided by this act shall be deemed to be a garage for the purposes of any law, ordinance, rule or regulation pertaining to garages in the city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1943.

See 1895, ch. 449, s. 10; 1909, ch. 486, s. 28; 1913, ch. 577.

1943.—CHAPTER 355.

AN ACT FOR THE MORE EFFECTIVE REGULATION OF FIRES IN THE OPEN AIR IN BOSTON.

Be it enacted, etc., as follows:

SECTION 1. No person shall set, maintain or increase a fire in the open air in the city of Boston without obtaining a permit from the fire commissioner as hereinafter provided. Permits for the setting and maintaining of fires in the open air in said city may be issued by the fire commissioner of said city for such periods of time, not exceeding one year from the date thereof, and subject to such reasonable conditions as said fire commissioner may establish by

regulation. Any such permit may be revoked at any time by said fire commissioner. Violation of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month, or both.

SECTION 2. Section thirteen of chapter forty-eight of the General Laws shall not apply to the city of Boston.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1943.

See 1895, ch. 449, s. 10.

1943.— CHAPTER 380.

AN ACT SUBJECTING TO THE CIVIL SERVICE LAWS THE OFFICES AND POSITIONS OF THE AMERICANIZATION DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The offices and positions of the Americanization department of the city of Boston shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the terms of office of any incumbents of said offices and positions shall be unlimited, subject to said laws. The persons holding said offices and positions on said effective date shall be subjected to a non-competitive qualifying examination by the division of civil service, and those passing said examination shall be certified for their respective offices and positions and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

Approved June 1, 1943.

1943.— CHAPTER 434.

AN ACT ESTABLISHING IN THE CITY OF BOSTON THE BOARD OF REAL ESTATE COMMISSIONERS, AND SETTING FORTH ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the city of Boston hereinafter referred to as the city, a board, to be known as the board of real estate commissioners of the city of Boston, hereinafter referred to as the board, which shall consist of the city treasurer and the chairman of the city planning board, *ex officiis*, and three other persons to be appointed by the mayor as hereinafter provided. The initial appointments hereunder shall be made by the mayor within sixty days after the effective date of this act, and in making the same he shall appoint one appointive member for a term expiring on May first, nineteen hundred and forty-six, one for a term expiring on May first, nineteen hundred and forty-five, and one for a term expiring on May first, nineteen hundred and forty-four, and thereafter, as the term of office of an appointive member expires, his successor shall be appointed by the mayor for a term of three years. If the office of any of the appointive members becomes vacant, the vacancy or vacancies shall be filled for the unexpired term by the mayor. The

mayor shall designate one of the appointive members as chairman. The chairman shall receive as compensation such sum, not exceeding five thousand dollars per annum, as may be fixed by the mayor. The other members shall serve without pay.

SECTION 2. The chairman, subject to the regulations of the board with respect to his procedure, shall have the care, custody, management and control of all property acquired by the city by foreclosure of tax titles or acquired under section eighty of chapter sixty of the General Laws, whether acquired before or after the effective date of this act.

SECTION 3. The chairman, subject to appropriation, may employ one or more assistants as may be necessary for the proper performance of his duties, and such assistants shall receive as compensation such amounts as may be approved by the mayor.

SECTION 4. The mayor shall appoint from the board a committee consisting of the chairman and two other members, to be known as the committee on foreclosed real estate. The chairman, acting on behalf of the city, may, subject to the restrictions hereinafter provided, let or lease real estate referred to in section two or any portion thereof, or interest therein. The chairman, acting on behalf of the city, subject to such restrictions, may also sell such real estate, or any portion thereof, or any interest therein, at public auction, first posting a notice thereof in two or more convenient and public places in the city at least fourteen days before such sale. A similar notice shall be sent by registered mail to the person who was the owner of record immediately prior to the acquisition by the city of absolute title to such property, at least fourteen days before the sale. Such notice shall contain a description of the property to be sold sufficient to identify it, and shall state the date, time and place appointed for the sale thereof and the terms and conditions of such sale. The chairman may reject any and all bids at such sale or any adjournment thereof if in his opinion no bid is made which approximates the fair value of the property, and he may adjourn the sale from time to time for such periods as he deems expedient, giving notice thereof at the time and place appointed for the sale or any adjournment thereof. Failure to post or send a notice as herein provided, or any insufficiency in the notice posted or sent, shall not invalidate the title to any property sold hereunder.

SECTION 5. No lease or sale made under section four shall be valid unless approved by a unanimous vote of the committee on foreclosed real estate, or by a vote, approved by the mayor, of a majority of the board. A certificate of the vote of the committee on foreclosed real estate, or of the vote of a majority of the board and the approval of the mayor, as the case may be, shall be made by the secretary of the board and attached to the lease or deed.

SECTION 6. The board shall elect a secretary, and may from time to time make such regulations with respect to its own procedure, and, with respect to the procedure of the chairman, in respect to the care, custody, management, control, sale or lease of any real estate, as it may deem advisable in the public interest. Such regulations shall not enlarge the powers given to the board or the chairman under this act, nor shall the validity of any sale or lease be affected by such regulation.

SECTION 7. The city treasurer of the city shall, in the name and on behalf of the city, execute and deliver any instrument necessary to convey any interest of the city under any provision of this act.

SECTION 8. This act shall apply to the city of Boston notwithstanding any provision of law, ordinance or by-law inconsistent herewith; provided, that, until the qualification of the appointive members of the board initially appointed under this act, chapter three hundred and fifty-eight of the acts of nineteen hundred and thirty-eight, as amended, shall continue to apply to the city.

Approved June 4, 1943.

The appointive members of the board initially appointed under this act qualified on July 27, 1943.

1943.— CHAPTER 451.

AN ACT ESTABLISHING A BOARD OF RECREATION IN THE CITY OF BOSTON, AND SETTING FORTH ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. A board of recreation, hereinafter referred to as the board, is hereby established in the city of Boston. The board shall consist of seven members. The chairman of the board of park commissioners of said city shall be, ex officio, a member of the board. Two members shall be appointed by the school committee of said city and each member so appointed shall serve for a term expiring on December thirty-first of each even-numbered year. Four suitable persons shall be appointed by the mayor of said city in accordance with chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended. Of the members initially appointed hereunder by the mayor, one shall serve for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years. Upon the expiration of the term of office of a member appointed by the mayor, his successor shall be appointed by the mayor for a term of four years. Vacancies in the membership of the board shall be filled in the manner of original appointments.

SECTION 2. The members of the board shall serve without compensation, and shall annually elect a chairman from their own number to serve for one year or until his successor is elected. The board shall have power to adopt rules of procedure and prescribe regulations for the conduct of all business by employees within its jurisdiction. A majority of the membership of the board shall constitute a quorum.

SECTION 3. The board shall appoint a superintendent of recreation who shall devote his whole time to such duties as are imposed upon him by this act. The board may also appoint such assistants and other employees as it may deem necessary to accomplish the purposes of this act and as may be consistent with its appropriation. Said superintendent and all employees of the board shall be subject to chapter thirty-one of the General Laws and the rules and regulations made thereunder, except that the play instructors

and supervisors may be appointed from the list of persons eligible to be appointed as school teachers for said city. Appropriations for the board shall be made therefor in the manner prescribed by law for city departments of said city.

SECTION 3A. The incumbent on the effective date of this act of the office of director of recreation of the park department of said city may be transferred to the office of superintendent of recreation established by section three.

SECTION 4. The board shall study the recreation needs of said city and shall formulate plans for adequately distributed, coordinated and diversified recreational services. Such plans, with recommendations of the board, shall be submitted to departments of said city empowered by law to provide recreational services. The board shall encourage the establishment of voluntary committees to advise and cooperate with the board with respect to the operation and supervision of neighborhood play areas. The board may submit recommendations to any licensing authority or authorities.

SECTION 5. The board may, from time to time, consult with the park department, school committee, police department, public buildings department, board of street commissioners and traffic commission of said city, and any other department thereof empowered under any general or special law or any ordinance to provide recreational services or having jurisdiction over premises and facilities which might be used for recreation, in relation to the recreational services or premises and facilities provided by said departments and in relation to plans for recreational services formulated by the board.

SECTION 6. The park department, school committee, police department, public buildings department, board of street commissioners and traffic commission of said city, and any other department thereof empowered under any general or special law or any ordinance to provide recreational services or having jurisdiction over premises and facilities which might be used for recreation, may, from time to time, delegate to the board, with the consent of the board, and under such terms, including provisions for the transfer of personnel, as may be agreed upon, the management of any such recreational services or make available to the board premises and facilities under their control.

SECTION 7. The board may provide and may conduct recreational activities and supervise recreational premises and facilities delegated or made available to it by other departments of said city under section six. The board may co-operate with and promote by advice, suggestion and otherwise, such voluntary or amateur organizations for recreation, entertainment or mutual improvement as shall meet its approval. The board may acquire and utilize recreational supplies and equipment and other supplies and equipment necessary for the conduct of its work.

SECTION 8. The board shall annually make a report of its activities during the preceding year to the mayor with such recommendations for the development of playgrounds and recreational facilities, including additions thereto, as it may deem advisable.

SECTION 9. This act shall take full effect on January first of the year next succeeding its acceptance by vote of the city council of said city, subject to the provisions of its charter.

Approved June 7, 1943.

Not yet accepted. (September 15, 1943.)

1943.—CHAPTER 516.

AN ACT ENABLING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY OF BOSTON AND THE COUNTY OF SUFFOLK TO PARTICIPATE IN THE BENEFITS OF AN EMERGENCY COMPENSATION ALLOTMENT PLAN, SO CALLED.

Be it enacted, etc., as follows:

SECTION 1. During the fiscal year of the city of Boston beginning January first, nineteen hundred and forty-three, and ending December thirty-first, nineteen hundred and forty-three, an emergency compensation allotment of two hundred dollars per annum may be allowed and paid from the treasury of said city to any official or employee of the city of Boston or of the county of Suffolk whose salary is paid in whole or in part from the treasury of said city, notwithstanding any provisions of general or special law which determine or limit the salary of such official or employee.

SECTION 2. The mayor of said city may by executive order continue in full force and effect the provisions of section one for the fiscal year of the city of Boston beginning January first, nineteen hundred and forty-four and ending December thirty-first, nineteen hundred and forty-four; provided, that, if said mayor shall modify the amount of emergency compensation allotment paid during said last mentioned period to those officials and employees of the city of Boston or the county of Suffolk whose salaries are not determined or limited by any provision of general or special law, then an equal amount shall be allowed and paid to every official or employee of the city of Boston or the county of Suffolk described in section one.

SECTION 2A. The words "official or employee of the city of Boston or of the county of Suffolk" shall include every person whose salary is paid in whole or in part from the treasury of the city of Boston.

SECTION 3. This act shall take effect upon its passage.

Approved June 11, 1943.

RESOLVES 1943.—CHAPTER 25.

RESOLVE PROVIDING FOR THE REIMBURSEMENT IN PART OF THE CITY OF BOSTON BY THE COMMONWEALTH FOR EXPENSES INCURRED BY SAID CITY IN THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL THEREIN.

Resolved, That, subject to appropriation, there be allowed and paid by the commonwealth from the Highway Fund to the city of Boston the sum of two hundred thousand dollars, to reim-

burse said city in part for expenses incurred by it in the operation and maintenance of the vehicular tunnel between Boston proper and East Boston, known as the Sumner tunnel, one half of said sum to be paid as aforesaid on September first in the current year and one half on November first in the year nineteen hundred and forty-four.

Approved June 1, 1943.

See Resolves 1938, ch. 83; Resolves 1939, ch. 71; Resolves 1941, ch. 20.

